

ARTICLE II. NOISE¹

Sec. 12-31. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Except as otherwise provided, all words in this article shall be given their ordinary and customary meaning.

Ambient noise means the generally prevailing sound or combination of sounds at the location where a listener receives the sound of the noise about which a complaint is being made. It is the sound or combination of sounds which a person of ordinary sensibilities would reasonably expect to encounter at the location in the ordinary and customary use of the premises.

County means Oconee County, South Carolina.

County administrator means the county administrator for Oconee County, South Carolina.

(Ord. No. 2016-20, § 1(Att. A), 5-16-2017)

Sec. 12-32. Prohibited noise generally.

Any noise of such character, intensity, or duration which substantially **and unreasonably** interferes with the comfortable enjoyment of persons of ordinary sensibilities occupying, owning, or controlling nearby properties or of persons making use of public properties for their intended purposes, is hereby declared to be unlawful and to be a nuisance, and is prohibited.

(Ord. No. 2016-20, § 1(Att. A), 5-16-2017)

Sec. 12-33. Standard of reasonableness and use of technology.

It is the intent of the county in regulating noise to take into account the latest scientific advances in noise measurement and control while at the same time preserving common sense and common law determinations of what constitutes a disturbance or public nuisance. Therefore, technological sound level measurements, while desirable, shall not be required to demonstrate a violation of this article or any other ordinance or statute which establishes the creation of disturbance or public nuisance. Additionally, decibel level measurements less than those specified in this article may nonetheless establish a violation of this article when due regard is made for the time, place, and circumstances of the noise. In order for measurement requirements to be omitted, however,

¹Editor's note(s)—Ord. No. 2016-20, § 1(Att. A), adopted May 16, 2017, amended Art. II in its entirety to read as herein set out. Former Art. II, §§ 12-31—12-36, pertained to similar subject matter, and derived from Ord. No. 1998-02, §§ 1—6, adopted Apr. 28, 1998; Ord. No. 2009-28, §§ 1—4, adopted Feb. 3, 2010; and Ord. No. 2015-09, § 1(Att. A), adopted Mar. 17, 2015.

State law reference(s)—Authority to abate nuisances created by the operation of business establishments in an excessively noisy manner, S.C. Code 1976, § 4-9-30(16.2).

there must be three or more independent and individual complaints registered or one or more independent and individual complaint when combined with the complaint of the law enforcement officer.

(Ord. No. 2016-20, § 1(Att. A), 5-16-2017)

Sec. 12-34. Specific noises prohibited.

- (a) *Operation of certain instruments, devices and equipment.* Nuisance noises shall include, but not be limited to, the use or operation of the following instruments, devices, or pieces of equipment when operated in the manner prohibited by section 12-32:
- (1) Musical instruments.
 - (2) Radios, receivers, stereos, televisions, disc players, tape players, and comparable mechanical and electronic devices which produce sound.
 - (3) Loudspeakers, amplifiers, or other devices which enhance or influence the level of sound in any way.
 - (4) Mechanical devices operating by compressed air, such as pneumatic drills and jackhammers.
 - (5) Horns, sirens, and signal devices using loud, brash, or harassing noises, whether on vehicles or otherwise.
 - (6) Motorized vehicles in operation, regardless of location, without mufflers or with ineffective mufflers or when there is rapid throttle advancing ("revving").
 - (7) The human voice when used to yell, shout, scream or the like.
 - (8) When operated between the hours of 10:00 p.m. and 6:59 a.m., construction machinery, heavy duty equipment, used in street repair and maintenance, domestic and commercial power tools, and the like, unless a permit is obtained.
 - (9) Fireworks which are detonated within the exterior property line and in close proximity to a dwelling or occupied structure without consent of the person in control of the premises; detonation of carbide cannons, black powder or smokeless powder devices, or any explosive device or compound which when detonated causes a report which exceeds that caused by lawfully acquired fireworks and which disturbs the public peace. This subsection shall not apply to lawfully acquired fireworks which are detonated on the Fourth of July, Christmas Eve, Christmas Day, New Year's Eve or New Year's Day.
- (b) *Continuous or repeated noises.* Regardless of the level of sound, the following, by way of example and not limitation, shall be deemed a nuisance and shall be prohibited under section 12-32:
- (1) To keep any animal, including a bird, causing a frequent or long continued noise, such as barking, howling, or screeching, disturbing the comfort and repose of any person of ordinary sensibilities in the immediate vicinity.
 - (2) To install or operate a burglar alarm system which uses an audible warning or bell without a functioning device that will shut off the warning or bell within 20 minutes after application of the system when the alarm cannot be readily or conveniently silenced manually by persons who are disturbed by its activation. Each activation of such an alarm that continues beyond 20 minutes shall be deemed a separate offense.

(Ord. No. 2016-20, § 1(Att. A), 5-16-2017)

Sec. 12-35. Exemptions.

The following noises shall be exempt from the prohibitions of section 12-32:

- (1) This article does not apply to noise emanating from industrial, warehouse, distribution, and manufacturing activities and facilities and operations related thereto, governmental activities, emergency signal devices, firearms discharges as a result of lawful game hunting or lawfully operating shooting ranges, agricultural activities (including livestock), parades, carnivals, school band practice or performances, and school or government sponsored athletic events.
- (2) Other code provisions notwithstanding, the sound produced by construction machinery, heavy duty equipment, and machines and equipment used for construction, repair, cleaning and maintenance of buildings, streets, or public or private premises when operated between the hours of 7:00 a.m. and 9:59 p.m. Such devices shall nevertheless be subject to the administrative stop order provisions of section 12-38.
- (3) The sound produced by horns, sirens, and alarms used with authorized emergency vehicles or otherwise used as safety devices to alert persons to danger or attempted crime; however, this exemption shall not apply to improperly operating burglar alarms as identified in section 12-34.2.b.
- (4) The sound produced by emergency repair measures necessary to restore public utilities, or to restore property to a safe condition, or to protect persons or property from imminent danger following an emergency, accident, or natural disaster.
- (5) The sound produced by bells or chimes or other carillon instruments when used to signify the passage of hour, half-hour, or quarter hour components, or to commemorate a wedding, funeral, or similar event, including regular religious services, provided the sounds do not exceed five continuous minutes in duration in any one hour period.
- (6) The sound produced by the following, provided there is compliance with all federal laws applicable to the noise:
 - a. Aircraft in flight or in operation at an airport;
 - b. Railroad equipment in operation on railroad rights-of-way; or
 - c. Motor vehicles, otherwise in lawful operation, on all public streets and highways.
- (7) The sound of water splashing produced by any waterfall, stream, decorative water fountain, or irrigation device when established or operated in an ordinary and customary manner.
- (8) Additionally, this article does not apply to noise between the hours of 7:00 a.m. and 9:59 p.m. which emanates from lawn and yard maintenance activities, tree harvesting or clearing, or explosives for construction and land clearing.
- (9) The unamplified sound emanating from a ballpark, playing field, stadium, or comparable outdoor facility designed and intended for recreational or sports activity when used for organized exhibitions or participatory sports or recreational activities.
- (10) Any lawful business operating as of the date of this article that is not in compliance with this article and does not fall under exceptions set out in this article shall have six months from the date of the ordinance from which this article derives to come into compliance with this article.

(Ord. No. 2016-20, § 1(Att. A), 5-16-2017)

Sec. 12-36. Enforcement factors.

In the enforcement of this article, an enforcement officer may be required to exercise judgment in determining if a particular noise is sufficiently loud or otherwise so offensive that it would substantially interfere with persons occupying nearby public or private property. When making such determinations, the enforcement officer may consider the following and other relevant factors:

- (1) The volume of the noise.
- (2) The intensity of the noise.
- (3) Whether the nature of the noise is usual or unusual.
- (4) Whether the origin of the noise is natural or unnatural.
- (5) The type and intensity of ambient noise, if any.
- (6) The nature and zoning of the area in which the noise is heard.

(Ord. No. 2016-20, § 1(Att. A), 5-16-2017)

Sec. 12-37. Special permits.

- (a) Entertainment or recreational events. Whenever the county administrator or his designee issues, on a temporary basis, special permits for events of an entertainment or recreational nature, then those events shall be exempt from the prohibitions of this article, provided noise is otherwise regulated in the supervision of the activity and provided that the permit shall be subject to revocation at the discretion of the county administrator or his designee on the basis of violation of permit conditions or excessive or inappropriate noise. Whenever such revocation occurs, the activities of the event shall then become subject to the prohibitions of this article.
- (b) Construction or maintenance operations. The county administrator or his designee may issue a permit exempting specific construction, solid waste pickup arrangements, and maintenance of public streets and rights-of-way from the prohibitions of this article otherwise applicable to nighttime (10:00 p.m. to 6:59 a.m.) activity, provided the person seeking such permit can make a showing that no reasonable alternatives exist to creating the noise at night and the activity involved is compatible with the public interest.
- (c) Specific and limited permits may be issued and allowed, upon request for the purposes of public enjoyment, celebrations, concerts, performances, and holidays and to promote interest and tourism in the county. Noise ordinance standards for such events shall be allowed, measured, and enforced at the furthestmost boundary line of the event grounds and shall be regulated to a maximum of 85 decibels A weighted, averaged per minute.

(Ord. No. 2016-20, § 1(Att. A), 5-16-2017)

Sec. 12-38. Administrative stop orders.

The county administrator or his designee may issue administrative stop orders to prohibit temporarily or to reschedule activities otherwise exempt under this article, when the continuation of the activity imposes a great hardship or substantial and aggravating inconvenience upon persons reasonably occupying or utilizing nearby premises, provided such administrative stop order is not used to prohibit completely an otherwise lawful activity and the county administrator or his designee gives due consideration to balancing the hardships involved.

(Ord. No. 2016-20, § 1(Att. A), 5-16-2017)

Sec. 12-39. Measurement of noise level; establishment of prima facie violation.

- (a) A prima facie violation of section 12-32 shall be established whenever a measurement of the offending noise shall be taken in accordance with this article and shown to produce a level of noise in excess of **60** decibels ("dB(A)") between the hours of 7:00 a.m. and 9:59 p.m. or in excess of **55** ("dB(A)") between the hours of 10:00 p.m. and 6:59 a.m. Any sound exceeding such levels is hereby declared a nuisance and is prohibited.
- (b) The inference established by subsection 12-39(a) shall be subject to rebuttal based on the time, place, and circumstances of the occurrence.
- (c) Noise levels identified shall be measured in decibels and A-weighted, with the unit of measurement being designated as dB(A). For the purpose of determining dB(A)s, the noise shall be measured on the A-weighting scale and the slow meter response on a sound level meter of standard design and quality having characteristics established by the American National Standards Institute (ANSI).
- (d) ~~Measurements shall be taken so as to provide a reasonable representation of the sound being measured with due regard to the location where the noise is heard by any person making a complaint. If no complaint has been made, enforcement officers shall measure the noise from a point approximately 100 feet from the point from which the noise is emanating. Precise positioning of the meter, however, is not required.~~
- (d) Measurements shall be taken outside of the property line of the property from which the noise is emanating. Measurements shall be at least 5 feet from any wall and not less than 3 feet above the ground. If it is not possible to measure 5 feet from a wall, a 5 dB variance will be allowed. In the case of multifamily dwellings, condominiums or other closely confined living areas, the exterior property line shall be considered the walls separating individual family units and the microphone shall be placed at least 5 feet from any wall and not less than 3 feet above the floor. In the case of vehicles or persons in common areas, public areas, roads, streets, or highways, the exterior property line shall be considered the wall of any nearby dwelling unit or school and the microphone shall be placed at least 5 feet, but no more than 10 feet from the exterior side of the wall and not less than 3 feet above the ground. Notwithstanding the above, it shall further be unlawful for any person to play, use, operate or permit to be played, used or operated, any radio, cassette or CD player or any other sound producing device if the sound producing device is in any motor vehicle or motorcycle and the sound generated is audible at a distance of 50 feet from the device producing the sound.
- (e) Prohibition. The playing of any radio, phonograph, musical instrument, including other mechanical, electric, or electronic devices, which emit low bass vibratory sounds, in such a manner as to cause material distress, discomfort or injury to persons of ordinary sensibilities in any vehicle, dwelling, hotel, or other type of residence hereby declared to be a nuisance and is prohibited.

(Ord. No. 2016-20, § 1(Att. A), 5-16-2017)

Sec. 12-40. Enforcement procedures; penalty; additional remedies.

- (a) With respect to suspected ordinance violations resulting from vehicle noise, law enforcement officers shall have the authority to charge persons under the provisions of this article without having received a complaint from a member of the public.
- (b) Law enforcement officers in the ordinary course of their duties shall have the authority to request compliance with the provisions of this article without having received a complaint from a member of the public.
- (c) Law enforcement officers may take any one of the following actions in accordance with this article:
 - (1) Warn the offender, who will then have the opportunity to immediately abate the offending noise without penalty. If the violation continues or reoccurs, the officer may cite or arrest the violator. A

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(Supp. No. 55)

warning and opportunity to abate the offending noise is not required, however, if the officer deems citation or arrest immediately necessary under the circumstances then present.

- (2) Issue a courtesy summons or other properly authorized citation device for the offender to appear in a magistrate court.
- (3) Make a custodial arrest.

(Ord. No. 2016-20, § 1(Att. A), 5-16-2017)

Sec. 12-41. Owner responsibility.

No property owner shall allow a violation of this article to be created or maintained on or at his property. A property owner shall be responsible and liable for any violation(s) of this article by tenants, guests, licensees, or other occupants in, on, or at the owner's property if the owner is present at the time of the violation(s) or has actual or constructive knowledge of a potential violation.

(Ord. No. 2016-20, § 1(Att. A), 5-16-2017)

Sec. 12-42. Penalties.

Any person violating any provision of this article shall be deemed guilty of a misdemeanor and shall for every offense be punished in accordance with section 1-7. Each day on which there is a violation, or every separate and distinct event constituting a violation, of this article shall constitute a separate and distinct violation and offense under this article. The county may also seek injunctive or other relief, as appropriate.

(Ord. No. 2016-20, § 1(Att. A), 5-16-2017)

Secs. 12-43—12-70. Reserved.

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- (10) Any lawful business operating as of the date of this article that is not in compliance with this article and does not fall under exceptions set out in this article shall have six months from the date of the ordinance from which this article derives to come into compliance with this article.

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- (b) Construction or maintenance operations. The county administrator or his designee may issue a permit exempting specific construction, solid waste pickup arrangements, and maintenance of public streets and rights-of-way from the prohibitions of this article otherwise applicable to nighttime (10:00 p.m. to 6:59 a.m.) activity, provided the person seeking such permit can make a showing that no reasonable alternatives exist to creating the noise at night and the activity involved is compatible with the public interest.
- (c) Specific and limited permits may be issued and allowed, upon request for the purposes of public enjoyment, celebrations, concerts, performances, and holidays and to promote interest and tourism in the county. Noise ordinance standards for such events shall be allowed, measured, and enforced at the furthestmost boundary line of the event grounds and shall be regulated to a maximum of 85 decibels A weighted, averaged per minute.

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- (a) A prima facie violation of section 12-32 shall be established whenever a measurement of the offending noise shall be taken in accordance with this article and shown to produce a level of noise in excess of 60 decibels ("dB(A)") between the hours of 7:00 a.m. and 9:59 p.m. or in excess of 55 ("dB(A)") between the hours of 10:00 p.m. and 6:59 a.m. Any sound exceeding such levels is hereby declared a nuisance and is prohibited.
- (b) The inference established by subsection 12-39(a) shall be subject to rebuttal based on the time, place, and circumstances of the occurrence.
- (c) Noise levels identified shall be measured in decibels and A-weighted, with the unit of measurement being designated as dB(A). For the purpose of determining dB(A)s, the noise shall be measured on the A-weighting scale and the slow meter response on a sound level meter of standard design and quality having characteristics established by the American National Standards Institute (ANSI).
- (d) Measurements shall be taken outside of the property line of the property from which the noise is emanating. Measurements shall be at least 5 feet from any wall and not less than 3 feet above the ground. If it is not possible to measure 5 feet from a wall, a 5 dB variance will be allowed. In the case of multifamily dwellings, condominiums or other closely confined living areas, the exterior property line shall be considered the walls separating individual family units and the microphone shall be placed at least 5 feet from any wall and not less than 3 feet above the floor. In the case of vehicles or persons in common areas, public areas, roads, streets, or highways, the exterior property line shall be considered the wall of any nearby dwelling unit or school and the microphone shall be placed at least 5 feet, but no more than 10 feet from the exterior side of the wall and not less than 3 feet above the ground. Notwithstanding the above, it shall further be unlawful for any person to play, use, operate or permit to be played, used or operated, any radio, cassette or CD player or any other sound producing device if the sound producing device is in any motor vehicle or motorcycle and the sound generated is audible at a distance of 50 feet from the device producing the sound.
- (e) Prohibition. The playing of any radio, phonograph, musical instrument, including other mechanical, electric, or electronic devices, which emit low bass vibratory sounds, in such a manner as to cause material distress, discomfort or injury to persons of ordinary sensibilities in any vehicle, dwelling, hotel, or other type of residence hereby declared to be a nuisance and is prohibited.

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Sec. 12-40. Enforcement procedures; penalty; additional remedies.

- (a) With respect to suspected ordinance violations resulting from vehicle noise, law enforcement officers shall have the authority to charge persons under the provisions of this article without having received a complaint from a member of the public.
- (b) Law enforcement officers in the ordinary course of their duties shall have the authority to request compliance with the provisions of this article without having received a complaint from a member of the public.
- (c) Law enforcement officers may take any one of the following actions in accordance with this article:
 - (1) Warn the offender, who will then have the opportunity to immediately abate the offending noise without penalty. If the violation continues or reoccurs, the officer may cite or arrest the violator. A warning and opportunity to abate the offending noise is not required, however, if the officer deems citation or arrest immediately necessary under the circumstances then present.
 - (2) Issue a courtesy summons or other properly authorized citation device for the offender to appear in a magistrate court.

(3) Make a custodial arrest.

(Ord. No. 2016-20, § 1(Att. A), 5-16-2017)

Sec. 12-41. Owner responsibility.

No property owner shall allow a violation of this article to be created or maintained on or at his property. A property owner shall be responsible and liable for any violation(s) of this article by tenants, guests, licensees, or other occupants in, on, or at the owner's property if the owner is present at the time of the violation(s) or has actual or constructive knowledge of a potential violation.

(Ord. No. 2016-20, § 1(Att. A), 5-16-2017)

Sec. 12-42. Penalties.

Any person violating any provision of this article shall be deemed guilty of a misdemeanor and shall for every offense be punished in accordance with section 1-7. Each day on which there is a violation, or every separate and distinct event constituting a violation, of this article shall constitute a separate and distinct violation and offense under this article. The county may also seek injunctive or other relief, as appropriate.

(Ord. No. 2016-20, § 1(Att. A), 5-16-2017)

Secs. 12-43—12-70. Reserved.

Sec. 4-1. Title.

This chapter shall be known as the Oconee County Animal Control Act.

(Ord. No. 2005-01, § 1, 2-1-2005)

Sec. 4-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned animal means any animal that has been deserted, forsaken, or given up without another owner being secured. An abandoned animal is also one that has not been provided regular access to adequate and appropriate food, water, shelter, and care. Cats subject to an approved community cat program or trap, neuter, spay, and release program are not considered abandoned animals.

Adequate shelter means that shelter which will keep a non-aquatic animal dry, out of the direct path of winds, out of direct sun, and at a temperature that is healthful for the animal. The containment area for the animal shall be free of accumulated waste and debris so that the animal shall be free to walk or lie down without coming in contact with waste or debris; shall be free of unsanitary conditions which result in offensive odors or are dangerous to the animal or to public health, welfare, or safety; and shall be free of ticks, fleas, flies, and mosquitoes as reasonably possible. A suitable method of drainage shall be provided to eliminate any excess water or moisture rapidly. Aquatic and semi-aquatic animals shall have an adequate amount of clean water in which to move. For dogs outside and unattended, adequate shelter shall meet the following minimum standards:

- (1) The shelter shall adequately resist water and wind and be of a suitable size to accommodate the dog and allow retention of body heat.
- (2) At or below 32 degrees Fahrenheit, the structure shall be provided with a sufficient quantity of dry bedding material or other means of protection from the weather that will allow the animal to retain body heat.
- (3) At or above 80 degrees Fahrenheit, each dog must be afforded one or more separate areas of shade large enough to accommodate the entire body of the dog at one time to ensure protection from the direct rays of the sun.

Animal means a living vertebrate creature, excepting homo sapiens.

Animal at large means any animal not under the restraint of a person capable of controlling the animal and/or off the premises of the owner. A community cat is not considered an animal at large.

Animal control officer means any person designated by the State of South Carolina or county governing authority of Oconee County as a law enforcement officer pursuant to S.C. Code 1976, § 47-3-30.

Animal rescuer means any recognized group or person who routinely obtains an unwanted dog or cat and who promptly finds an adoptive home for that spayed or neutered dog or cat.

Animal shelter means any premises designated by the county governing body for the purpose of impounding, care, or humane euthanasia of animals held under authority of this chapter and/or state law.

Community cat means any free-roaming cat found outside, which one or more citizens participate in caring for. Citizens that partake in caring for a community cat must ensure that the cat's ears are tipped so that it can be distinguished from owned or stray cats. Community cats must also be spayed or neutered and vaccinated to prevent the spread of disease to owned animals.

Dangerous animal means an animal:

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- (1) Which the owner knows or reasonably should know has a propensity, tendency, or disposition to attack unprovoked or cause injury or otherwise endanger the safety of human beings or domestic animals;
 - (2) Which makes an unprovoked attack that causes bodily injury to a human being and the attack occurs in a place other than the place where the animal is confined as required by S.C. Code 1976, § 47-3-720;
 - (3) Which commits unprovoked acts in a place other than the place where the animal is confined as required by S.C. Code 1976, § 47-3-720, and those acts cause a person to reasonably believe that the animal will attack and cause bodily injury to a human being;
 - (4) Which is owned or harbored primarily or in part for the purpose of fighting or which is trained for fighting; or
 - (5) Which attacks, bites, or injures a human being or domesticated animal without adequate provocation, or which, because of temperament, conditioning or training, has a known propensity to attack, bite, or injure human beings or domesticated animals.

An animal is not a dangerous animal solely by virtue of its breed or species.

Owner means any person, partnership, or corporation owning, keeping, or harboring one or more animals. An animal, excluding a community cat, shall be declared to be harbored if it is fed for three consecutive days or more, unless said person, partnership or corporation has notified animal control to pick up the stray animal.

Pet or companion animal means any animal kept for pleasure rather than utility; an animal of a species that has been bred and raised to live in or about the habitation of humans and is dependent on people for food and shelter.

Potentially dangerous animal means an animal that, without provocation, chases or approaches any person or domestic animal, anywhere other than on the property of the owner, in a menacing fashion or with an apparent attitude of attack, including, but not limited to, behavior such as growling or snarling.

Public nuisance animal means any animal that unreasonably annoys humans, endangers the life or health of other citizens (other than its owners), or interferes with a citizen's enjoyment of life or property. The term "public nuisance animal" means and includes, but is not limited to, any animal that:

- (1) Is found at large after a written complaint has been filed;
- (2) Damages the property of anyone other than its owner;
- (3) Molests or intimidates pedestrians or passersby;
- (4) Excessively makes disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored. Refer to chapter 12, article II of the Oconee County Code of Ordinances for additional provisions related to noise disturbance;
- (5) Causes fouling of the air off the premises of the owner by odor resulting from failure to remove feces every 24 hours or washing of same into an approved underground disposal system every 24 hours, excepting animals lawfully raised for food or food products;
- (6) Has been found by the animal control officer after notice of its owner to be a public nuisance animal by virtue of being a menace to the public health, welfare, or safety; or
- (7) A dog or cat that does not have attached a valid current rabies inoculation tag as required by state law.

Under restraint. An animal shall be deemed under restraint if it is on the premises of its owner or custodian or is accompanied by its owner or custodian and under the physical control of such owner or custodian by means of a restraining device. This section does not apply to dogs lawfully engaged in hunting.

Sec. 4-4. Restraint.

- (a) All owned animals shall be kept under restraint, which includes confinement to the owner's or custodian's premises. (See section 4-2, definitions, above.)
- (b) No owner shall fail to exercise proper care and control of his animal to prevent it from being a public nuisance.
- ~~(c) Owners shall ensure that if their female dog or cat is in heat, it shall be confined in a building or secure enclosure in such a manner that such female dog or cat cannot come into contact with another animal except for planned breeding.~~
- (c) Female dogs and cats; unspayed and unneutered animals.
 - (1) Owners shall ensure that any female dog or cat in heat is confined in a building or secure enclosure of appropriate size and height to prevent escape and/or coming into contact with another animal.
 - (2) Owners shall ensure that their unneutered or unspayed dog or cat is restrained to the property in such a manner that the animal cannot breed without a current breeder registration issued pursuant to Section 4-14 of this chapter. A first offense shall result in a fine of \$257.50. A second offense shall result in a fine of \$1,087.50. A third offense shall result in mandatory sterilization of the animal, as ordered and administered in accordance with applicable law. Hunting dogs are exempt from this subsection when the owner or the owner's designee is acting in accordance with S.C. Code § 50-11-780.
- (d) Every dangerous animal and potentially dangerous animal, as determined under this chapter, shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner.
- (e) Owners shall ensure their animals are restrained in a humane manner.
- (f) If a dog must be restrained by means other than a fence or other humane enclosure, a tethering system must be used that meets the following criteria:
 - (1) The tether shall be at least ten feet in length.
 - (2) The tether shall not be a logging chain, tow chain, or other tether that is of a weight that is likely to cause injury to the dog.
 - (3) The tether should have swivels on both ends and allow the dog to have the highest degree of movement practicable without becoming entangled; 360 degrees is ideal. This is best accomplished by using a single stake system with swivel on top to allow the dog free movement. A secondary option is to have the dog tether, with swivels, attached to a trolley system that allows the dog to move freely along a runner line. The trolley systems should be at least three feet above the ground.
 - (4) The tether must allow the dog free access to food, potable water, and adequate shelter (as defined in section 4-2 of this chapter).
 - (5) The tether must be attached to a property fitting collar or harness so that there is no harm to the dog.
 - (6) If more than one dog is tethered in the same area, they must be separated to prevent entanglement.
 - (7) If an underground or wireless fence is used to restrain a dog(s), the fence and appurtenances must be properly maintained so as to keep the dog(s) within the enclosed area and the fence must be capable of restraining the animal confined.

(Ord. No. 2005-01, § 4, 2-1-2005; Ord. No. 2022-29, § 1(Exh. B), 1-3-2023)

Sec. 4-5. Biting or attacking persons.

All animal bites or injuries to a human being shall be reported by medical personnel with knowledge of the bite or injury to the rabies control officer in the department of health and environmental control. Whenever the animal control officer is notified and shown that an animal has bitten or attacked a person, such officer shall promptly notify the county department of health and environmental control of such bite or attack and shall cooperate with the health department in impounding and quarantining such animal.

(Ord. No. 2005-01, § 5, 2-1-2005; Ord. No. 2022-29, § 1(Exh. B), 1-3-2023)

Sec. 4-6. Impoundment and violation notice.

- (a) (1) Unrestrained and nuisance animals, upon receipt of a written complaint signed by the complainant, may be taken by law enforcement officials and/or animal control officers and impounded in the county animal shelter and there be confined in a humane manner.
- (2) In addition to, or in lieu of, impounding an animal at large, the animal control officer or lawful constable or deputy sheriff may issue to the known owner of such animal a notice of ordinance violation. Such notice shall impose upon the owner a warning for a first offense, with subsequent offenses being punishable up to the jurisdictional limits of the magistrate's court.
- (3) In addition, the owner shall be required to pay a fee of \$10.00 per day for each day the animal is boarded by the county, actual cost for inoculation of the animal (if applicable) and a \$10.00 impoundment fee. Further, a \$15.00 fee will be charged for a mandatory microchip implant for animals not previously microchipped.
- (b) Notwithstanding the above, an animal control officer and/or law enforcement officer may without written complaint impound animals not having a valid current rabies inoculation tag and found off the owner's property.
- (c) Impounded dogs and cats shall not be kept for fewer than five calendar days.
- (d) Animal control officers shall not destroy any positively identifiable dog until they have notified the owner at his last known address by registered mail that they have the dog in their possession. The owner must notify the animal control officer within two weeks that he will pick up his dog. If the owner does not pick up his dog within two weeks of notification to the animal control officer, the dog may be destroyed. Reasonable costs associated with the above extended hold period, including cost of mailing the required notice, must be paid before the dog is returned to its owner, or owner's designee, in addition to any other established costs, fines, fees, or other charges.
- (e) Abandoned animals shall be impounded and shall be kept for no fewer than five calendar days.
- (f) Any owner reclaiming an impounded dog or cat shall pay the fee provided for in subsection (a) of this section before the animal can be released.
- (g) Any owner claiming an impounded dog or cat shall show proof that the animal is currently inoculated against rabies. If such animal is not currently inoculated against rabies the owner shall cause the animal to be inoculated at the owner's expense.
- (h) Any animal not reclaimed by its owner within five calendar days, or in the case of a positively identifiable animal within ten calendar days, shall become the property of the local government authority and shall be placed for adoption in a suitable home or humanely euthanized, as approved by state law.

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- (i) The animal shelter director shall keep complete and accurate records of the care, veterinary treatment, and disposition of all animals impounded at the shelter.
 - (j) It shall be unlawful for any person to release or take out of impoundment any animal without proper authority.
 - (k) It shall be unlawful to resist or hinder animal control officers or law enforcement officers engaging in the capture and impoundment of an animal.
 - (l) It shall be unlawful to remove the rabies tag from the dog for which the tag was issued.
- (Ord. No. 2005-01, § 6, 2-1-2005; Ord. No. 2022-29, § 1(Exh. B), 1-3-2023)

Sec. 4-7. Dangerous animals.

- (a) If an animal control officer has probable cause to believe that a dangerous animal is being harbored or cared for in violation of S.C. Code § 47-3-720 (unconfined on premises), or § 47-3-740 (owning/harboring for purposes of fighting), or § 47-3-760(E) (registration), the officer may petition the court having jurisdiction to order the seizure and impoundment of the dangerous animal while the trial is pending.
- (b) If an animal control agent has probable cause to believe that a dangerous animal is being harbored or housed in violation of S.C. Code § 47-3-730 (unrestrained off-premises), the agent or officer may seize and impound the dangerous animal while the trial is pending.
- (c) Animals impounded under subsections (a) or (b), above, shall be kept at the county animal shelter or at a veterinarian designated by the owner at the owner's expense for quarantine pending a determination of the animal's status as a dangerous animal. In the event an animal bites a member of the animal owner's family, and the animal owner requests that the animal be impounded by the animal owner, the animal control officer or law enforcement officer may, in his discretion, allow the animal owner to impound said animal on said animal owner's property.
- (d) Upon impounding an animal under this section, a determination hearing should be conducted as soon as reasonably possible, with notice of such hearing being served on the owner by registered mail or personal service at least ten days prior to the hearing. If the owner fails to appear at the hearing, the hearing shall nevertheless proceed and an appropriate order may be issued. The magistrate shall determine whether to declare the animal to be a dangerous animal based upon the evidence and testimony presented at the hearing by the owner, witnesses to any incidents, or any other persons possessing information pertinent to such determination, such as veterinarians or dog obedience trainers. The magistrate shall issue written findings within ten business days after the hearing. The owner of such animal shall have a right to appeal the decision to the court of common pleas of the county within ten days of receiving the decision of the magistrate.
- (e) An animal determined to be dangerous under this section which has attacked or caused injury to a human being or a domestic animal may be ordered destroyed by the magistrate when in the magistrate's judgment the dangerous animal represents a continuing threat of serious harm to human beings or other domestic animals after the quarantine period has expired. Any dangerous animal may also be destroyed if the owner of the dangerous animal relinquishes ownership or control of the animal to the animal shelter or law enforcement officer. A magistrate may return a dangerous animal to the owner if the magistrate finds that the animal will not pose a threat to human beings and/or domestic animals and that the owner has and will fully comply with subsections (f), (g), and (h) of this section.
- (f) The owner of a dangerous animal shall secure and confine said dangerous animal on the owner's property in an enclosed pen or structure which must be secured by lock and key or combination lock. The pen or structure shall be suitable to prevent the animal from escaping. The pen or structure shall have secure sides

and a secure top which protects the animal from the elements. Also, all sides must be embedded into the ground with no less than two feet unless the bottom is secured to the sides. The structure must be kept in a clean and sanitary condition and provide adequate light and ventilation. The enclosure shall not be less than five feet by ten feet and not less than six feet high.

- (g) No person owning or harboring or having care of a dangerous animal may permit the animal to go beyond the person's premises unless the animal is securely muzzled and restrained with a leash or chain having a minimum tensile strength of 300 pounds and not exceeding three feet in length.
- (h) In accordance with S.C. Code of Laws § 47-3-760(E), all dangerous animals inside Oconee County must be registered with the Oconee County Animal Control, or its successor "law enforcement authority." If the animal was deemed dangerous by an Oconee County Court, a copy of the court order must be kept on file. If the dangerous animal was transferred into Oconee [County] from another county or state, documentation from that jurisdiction must be provided within 30 days. The director of animal control will be responsible for maintaining records of all dangerous animals inside Oconee County. The registration application must be accompanied by proof of liability insurance or surety bond of at least \$50,000.00 insuring or securing the owner for personal injuries inflicted by the dangerous animal. Oconee County Animal Control, or its successor, shall provide to the owner registering the dangerous animal a metal license tag and a certificate along with a designed dangerous dog collar. Fees for these items must be collected at registration. The metal license tag must be attached to a collar or harness and worn at all times by the dangerous animal for which the certificate and tag have been issued. The pen or structure must be clearly marked on four sides with a sign stating "dangerous animal."
- (1) Registration information required for dangerous animals:
 - a. Species and breed.
 - b. Address of where animal will be located.
 - c. Owner information.
 - d. Proofs of rabies inoculation (must be submitted annually).
 - e. Photo of animal (must be submitted annually).
 - f. Waiver for inspections of confinement site.
- (2) The owner of a dangerous animal shall notify Oconee County Animal Control if any changes occur with the following:
 - a. Ownership. In the case of a change of ownership, the name, address, and telephone number of the new owner/custodian must, within five days of transfer, be provided to Oconee County Animal Control. Oconee County Animal Control will notify the new owner/custodian of the dangerous animal's status, and also notify the animal control services in the jurisdiction where the animal is housed.
 - b. Address change of the owner/custodian or any change in the location in which the animal is housed.
 - c. Any material change in the health status of the animal.
 - d. Death of the animal.

(Ord. No. 2005-01, § 7, 2-1-2005; Ord. No. 2022-29, § 1(Exh. B), 1-3-2023)

Cross reference(s)—Environment. ch. 12

Sec. 4-8. Potentially dangerous animals.

- (a) The animal control officer or law enforcement officials shall have the power to summarily and immediately impound any animal where there is any evidence that the animal has chased or approached any person or domestic animal, on property other than the property of the owner, in a menacing fashion or with an apparent attitude of attack, including, but not limited to, behavior such as growling or snarling. The animal shall be kept at the county animal shelter or at a veterinarian designated by the owner at the owner's expense for quarantine pending determination of the animal's status as a potentially dangerous animal. The animal control officer or law enforcement officer may, in his discretion, allow the animal owner to impound said animal on said animal owner's property.
- (b) Upon impounding a potentially dangerous animal, a determination hearing should be conducted as soon as reasonably possible, with notice of such hearing being served on the owner by registered mail or personal service at least ten days prior to the hearing. If the owner fails to appear at the hearing, the hearing shall nevertheless proceed and an appropriate order may be issued. The magistrate shall determine whether to declare the animal to be a potentially dangerous animal based upon the evidence and testimony presented at the hearing by the owner, witnesses to any incidents, or any other persons possessing information pertinent to such determination, such as veterinarians or dog obedience trainers. The magistrate shall issue written findings within ten business days after the hearing. The owner of such animal shall have a right to appeal the decision to the court of common pleas of the county within ten days of receiving the decision of the magistrate.
- (c) Upon a finding that an animal is a potentially dangerous animal, the magistrate may order that the animal be forfeited by the owner and placed with an agency willing to accept custody of said animal or may return said animal to the owner if the owner has and will comply with subsections (d) and (e) of this section.
- (d) The owner of a potentially dangerous animal shall secure and confine said potentially dangerous animal on the owner's property in an enclosed and locked (with a key or combination lock) pen or structure, suitable to prevent the animal from escaping said pen or structure. The pen or structure shall have secure sides and a secure top which protects the animal from the elements. Also, all sides must be embedded into the ground with no less than two feet unless the bottom is secured to the sides. The structure must be kept in a clean and sanitary condition and provide adequate light and ventilation. The enclosure shall not be less than five feet by ten feet and not less than six feet high.
- (e) No person owning or harboring or having care of a potentially dangerous animal may permit the animal to go beyond the person's premises unless the animal is securely muzzled and restrained with a leash or chain having a minimum tensile strength of 300 pounds and not exceeding three feet in length.

(Ord. No. 2005-01, § 8, 2-1-2005; Ord. No. 2022-29, § 1(Exh. B), 1-3-2023)

Sec. 4-9. Animal care.

- (a) No owner shall fail to provide his animals with:
 - (1) Necessary substance and adequate shelter, as defined in section 4-2;
 - (2) Veterinary care when needed to prevent suffering; and
 - (3) Humane care and treatment.

All animals shall be kept in a clean and sanitary condition. The premises upon which the animal is kept shall be kept in a clean and sanitary condition and provide adequate light, shelter and ventilation.

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- (b) No owner of an animal shall abandon such animal. A person who returns a community cat to the location from where it was collected shall not be considered to have abandoned that animal.
 - (c) Any animal found abandoned and not properly cared for, appearing to be diseased or injured past recovery for any useful purpose, may be humanely euthanized by an agent of the department of health and environmental control, law enforcement officer, or an animal control officer, by a method approved by state law.
 - (1) If the animal is identifiable, attempts to contact the owner shall be made by phone or at the residence in person.
 - (2) If the animal is not identifiable and is in great pain, the cause of which is not reasonably treatable, the animal may be humanely euthanized immediately without attempts to contact the cause.
 - (d) Any animal found abandoned, neglected, cruelly treated, or unfit for use may be seized from the owner's property by the animal control officer or law enforcement officer and impounded at the county animal shelter; provided, however, that the officer shall give notice of this seizure by posting a copy of it at the location where the animal was seized or by delivering it to a person residing on the property of the owner within 24 hours of the time the animal was seized.
 - (e) The owner of any animal impounded under the provisions of this section shall be responsible for payment of any necessary medical care as determined by a veterinarian in addition to any penalties, impoundment fees, and board fees.

(Ord. No. 2005-01, § 9, 2-1-2005; Ord. No. 2022-29, § 1(Exh. B), 1-3-2023)

Sec. 4-11. Enforcement.

The civil and criminal provisions of this chapter shall be enforced by those persons or agencies legally authorized by the county for that purpose. It shall be a violation of this chapter to interfere with an animal control officer or law enforcement officer in the performance of his duties. It shall be a violation of this chapter to provide false information to a law enforcement officer or an animal control officer. This includes, but is not limited to, information provided on intake forms, bite reports, owner surrender forms, compliant forms, and reclaim forms. Any person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction may be fined and/or imprisoned consistent with the jurisdictional limits of the magistrate's court. Additionally, the magistrate of the county shall have the authority to issue a bench warrant in the enforcement of this chapter.

(Ord. No. 2005-01, § 11, 2-1-2005; Ord. No. 2022-29, § 1(Exh. B), 1-3-2023)

Sec. 4-14. Breeder, Rescue, and Hunter Registration.

- (A) Breeder registration. Any person and/or business engaged in breeding and the sale of dogs and/or cats within the unincorporated area of Oconee County must complete an application for registration with Oconee County Animal Control prior to breeding.
- (B) Application fee. In accordance with this chapter, a one-time application fee of \$10.00 is required at the time of application with Oconee County Animal Control, with no annual or additional registration fees thereafter. Any person, business, or nonprofit organization acting as an Animal Rescue Organization shall complete a one-time application with Oconee County Animal Control.
- (C) Annual renewal. Registration issued pursuant to subsections (A) and (B) shall be renewed annually at no cost or additional fee in order to remain in compliance. If registration becomes expired for more than two consecutive years, a new application shall be required, together with the \$10.00 application fee.

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- (D) Minimum standard of care. All breeders, rescues, and other persons subject to this section shall maintain the minimum standard of care required by South Carolina Code of Laws, Chapter 47, and Oconee County Code § 4-9.

Sec. 4-1. Title.

This chapter shall be known as the Oconee County Animal Control Act.

(Ord. No. 2005-01, § 1, 2-1-2005)

Sec. 4-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned animal means any animal that has been deserted, forsaken, or given up without another owner being secured. An abandoned animal is also one that has not been provided regular access to adequate and appropriate food, water, shelter, and care. Cats subject to an approved community cat program or trap, neuter, spay, and release program are not considered abandoned animals.

Adequate shelter means that shelter which will keep a non-aquatic animal dry, out of the direct path of winds, out of direct sun, and at a temperature that is healthful for the animal. The containment area for the animal shall be free of accumulated waste and debris so that the animal shall be free to walk or lie down without coming in contact with waste or debris; shall be free of unsanitary conditions which result in offensive odors or are dangerous to the animal or to public health, welfare, or safety; and shall be free of ticks, fleas, flies, and mosquitoes as reasonably possible. A suitable method of drainage shall be provided to eliminate any excess water or moisture rapidly. Aquatic and semi-aquatic animals shall have an adequate amount of clean water in which to move. For dogs outside and unattended, adequate shelter shall meet the following minimum standards:

- (1) The shelter shall adequately resist water and wind and be of a suitable size to accommodate the dog and allow retention of body heat.
- (2) At or below 32 degrees Fahrenheit, the structure shall be provided with a sufficient quantity of dry bedding material or other means of protection from the weather that will allow the animal to retain body heat.
- (3) At or above 80 degrees Fahrenheit, each dog must be afforded one or more separate areas of shade large enough to accommodate the entire body of the dog at one time to ensure protection from the direct rays of the sun.

Animal means a living vertebrate creature, excepting homo sapiens.

Animal at large means any animal not under the restraint of a person capable of controlling the animal and/or off the premises of the owner. A community cat is not considered an animal at large.

Animal control officer means any person designated by the State of South Carolina or county governing authority of Oconee County as a law enforcement officer pursuant to S.C. Code 1976, § 47-3-30.

Animal rescuer means any recognized group or person who routinely obtains an unwanted dog or cat and who promptly finds an adoptive home for that spayed or neutered dog or cat.

Animal shelter means any premises designated by the county governing body for the purpose of impounding, care, or humane euthanasia of animals held under authority of this chapter and/or state law.

Community cat means any free-roaming cat found outside, which one or more citizens participate in caring for. Citizens that partake in caring for a community cat must ensure that the cat's ears are tipped so that it can be distinguished from owned or stray cats. Community cats must also be spayed or neutered and vaccinated to prevent the spread of disease to owned animals.

Dangerous animal means an animal:

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- (1) Which the owner knows or reasonably should know has a propensity, tendency, or disposition to attack unprovoked or cause injury or otherwise endanger the safety of human beings or domestic animals;
 - (2) Which makes an unprovoked attack that causes bodily injury to a human being and the attack occurs in a place other than the place where the animal is confined as required by S.C. Code 1976, § 47-3-720;
 - (3) Which commits unprovoked acts in a place other than the place where the animal is confined as required by S.C. Code 1976, § 47-3-720, and those acts cause a person to reasonably believe that the animal will attack and cause bodily injury to a human being;
 - (4) Which is owned or harbored primarily or in part for the purpose of fighting or which is trained for fighting; or
 - (5) Which attacks, bites, or injures a human being or domesticated animal without adequate provocation, or which, because of temperament, conditioning or training, has a known propensity to attack, bite, or injure human beings or domesticated animals.

An animal is not a dangerous animal solely by virtue of its breed or species.

Owner means any person, partnership, or corporation owning, keeping, or harboring one or more animals. An animal, excluding a community cat, shall be declared to be harbored if it is fed for three consecutive days or more, unless said person, partnership or corporation has notified animal control to pick up the stray animal.

Pet or companion animal means any animal kept for pleasure rather than utility; an animal of a species that has been bred and raised to live in or about the habitation of humans and is dependent on people for food and shelter.

Potentially dangerous animal means an animal that, without provocation, chases or approaches any person or domestic animal, anywhere other than on the property of the owner, in a menacing fashion or with an apparent attitude of attack, including, but not limited to, behavior such as growling or snarling.

Public nuisance animal means any animal that unreasonably annoys humans, endangers the life or health of other citizens (other than its owners), or interferes with a citizen's enjoyment of life or property. The term "public nuisance animal" means and includes, but is not limited to, any animal that:

- (1) Is found at large after a written complaint has been filed;
- (2) Damages the property of anyone other than its owner;
- (3) Molests or intimidates pedestrians or passersby;
- (4) Excessively makes disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored. Refer to chapter 12, article II of the Oconee County Code of Ordinances for additional provisions related to noise disturbance;
- (5) Causes fouling of the air off the premises of the owner by odor resulting from failure to remove feces every 24 hours or washing of same into an approved underground disposal system every 24 hours, excepting animals lawfully raised for food or food products;
- (6) Has been found by the animal control officer after notice of its owner to be a public nuisance animal by virtue of being a menace to the public health, welfare, or safety; or
- (7) A dog or cat that does not have attached a valid current rabies inoculation tag as required by state law.

Under restraint. An animal shall be deemed under restraint if it is on the premises of its owner or custodian or is accompanied by its owner or custodian and under the physical control of such owner or custodian by means of a restraining device. This section does not apply to dogs lawfully engaged in hunting.

(Ord. No. 2005-01, § 2, 2-1-2005; Ord. No. 2022-29, § 1(Exh. B), 1-3-2023)

Sec. 4-4. Restraint.

- (a) All owned animals shall be kept under restraint, which includes confinement to the owner's or custodian's premises. (See section 4-2, definitions, above.)
- (b) No owner shall fail to exercise proper care and control of his animal to prevent it from being a public nuisance.
- (c) Female dogs and cats; unsayed and unneutered animals.
 - (1) Owners shall ensure that any female dog or cat in heat is confined in a building or secure enclosure of appropriate size and height to prevent escape and/or coming into contact with another animal.
 - (2) Owners shall ensure that their unneutered or unsayed dog or cat is restrained to the property in such a manner that the animal cannot breed without a current breeder registration issued pursuant to Section 4-14 of this chapter. A first offense shall result in a fine of \$257.50. A second offense shall result in a fine of \$1,087.50. A third offense shall result in mandatory sterilization of the animal, as ordered and administered in accordance with applicable law. Hunting dogs are exempt from this subsection when the owner or the owner's designee is acting in accordance with S.C. Code § 50-11-780.
- (d) Every dangerous animal and potentially dangerous animal, as determined under this chapter, shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner.
- (e) Owners shall ensure their animals are restrained in a humane manner.
- (f) If a dog must be restrained by means other than a fence or other humane enclosure, a tethering system must be used that meets the following criteria:
 - (1) The tether shall be at least ten feet in length.
 - (2) The tether shall not be a logging chain, tow chain, or other tether that is of a weight that is likely to cause injury to the dog.
 - (3) The tether should have swivels on both ends and allow the dog to have the highest degree of movement practicable without becoming entangled; 360 degrees is ideal. This is best accomplished by using a single stake system with swivel on top to allow the dog free movement. A secondary option is to have the dog tether, with swivels, attached to a trolley system that allows the dog to move freely along a runner line. The trolley systems should be at least three feet above the ground.
 - (4) The tether must allow the dog free access to food, potable water, and adequate shelter (as defined in section 4-2 of this chapter).
 - (5) The tether must be attached to a property fitting collar or harness so that there is no harm to the dog.
 - (6) If more than one dog is tethered in the same area, they must be separated to prevent entanglement.
 - (7) If an underground or wireless fence is used to restrain a dog(s), the fence and appurtenances must be properly maintained so as to keep the dog(s) within the enclosed area and the fence must be capable of restraining the animal confined.

(Ord. No. 2005-01, § 4, 2-1-2005; Ord. No. 2022-29, § 1(Exh. B), 1-3-2023)

Sec. 4-5. Biting or attacking persons.

All animal bites or injuries to a human being shall be reported by medical personnel with knowledge of the bite or injury to the rabies control officer in the department of health and environmental control. Whenever the animal control officer is notified and shown that an animal has bitten or attacked a person, such officer shall promptly notify the county department of health and environmental control of such bite or attack and shall cooperate with the health department in impounding and quarantining such animal.

(Ord. No. 2005-01, § 5, 2-1-2005; Ord. No. 2022-29, § 1(Exh. B), 1-3-2023)

Sec. 4-6. Impoundment and violation notice.

- (a) (1) Unrestrained and nuisance animals, upon receipt of a written complaint signed by the complainant, may be taken by law enforcement officials and/or animal control officers and impounded in the county animal shelter and there be confined in a humane manner.
- (2) In addition to, or in lieu of, impounding an animal at large, the animal control officer or lawful constable or deputy sheriff may issue to the known owner of such animal a notice of ordinance violation. Such notice shall impose upon the owner a warning for a first offense, with subsequent offenses being punishable up to the jurisdictional limits of the magistrate's court.
- (3) In addition, the owner shall be required to pay a fee of \$10.00 per day for each day the animal is boarded by the county, actual cost for inoculation of the animal (if applicable) and a \$10.00 impoundment fee. Further, a \$15.00 fee will be charged for a mandatory microchip implant for animals not previously microchipped.
- (b) Notwithstanding the above, an animal control officer and/or law enforcement officer may without written complaint impound animals not having a valid current rabies inoculation tag and found off the owner's property.
- (c) Impounded dogs and cats shall not be kept for fewer than five calendar days.
- (d) Animal control officers shall not destroy any positively identifiable dog until they have notified the owner at his last known address by registered mail that they have the dog in their possession. The owner must notify the animal control officer within two weeks that he will pick up his dog. If the owner does not pick up his dog within two weeks of notification to the animal control officer, the dog may be destroyed. Reasonable costs associated with the above extended hold period, including cost of mailing the required notice, must be paid before the dog is returned to its owner, or owner's designee, in addition to any other established costs, fines, fees, or other charges.
- (e) Abandoned animals shall be impounded and shall be kept for no fewer than five calendar days.
- (f) Any owner reclaiming an impounded dog or cat shall pay the fee provided for in subsection (a) of this section before the animal can be released.
- (g) Any owner claiming an impounded dog or cat shall show proof that the animal is currently inoculated against rabies. If such animal is not currently inoculated against rabies the owner shall cause the animal to be inoculated at the owner's expense.
- (h) Any animal not reclaimed by its owner within five calendar days, or in the case of a positively identifiable animal within ten calendar days, shall become the property of the local government authority and shall be placed for adoption in a suitable home or humanely euthanized, as approved by state law.
- (i) The animal shelter director shall keep complete and accurate records of the care, veterinary treatment, and disposition of all animals impounded at the shelter.

-
- (j) It shall be unlawful for any person to release or take out of impoundment any animal without proper authority.
 - (k) It shall be unlawful to resist or hinder animal control officers or law enforcement officers engaging in the capture and impoundment of an animal.
 - (l) It shall be unlawful to remove the rabies tag from the dog for which the tag was issued.

(Ord. No. 2005-01, § 6, 2-1-2005; Ord. No. 2022-29, § 1(Exh. B), 1-3-2023)

Sec. 4-7. Dangerous animals.

- (a) If an animal control officer has probable cause to believe that a dangerous animal is being harbored or cared for in violation of S.C. Code § 47-3-720 (unconfined on premises), or § 47-3-740 (owning/harboring for purposes of fighting), or § 47-3-760(E) (registration), the officer may petition the court having jurisdiction to order the seizure and impoundment of the dangerous animal while the trial is pending.
- (b) If an animal control agent has probable cause to believe that a dangerous animal is being harbored or housed in violation of S.C. Code § 47-3-730 (unrestrained off-premises), the agent or officer may seize and impound the dangerous animal while the trial is pending.
- (c) Animals impounded under subsections (a) or (b), above, shall be kept at the county animal shelter or at a veterinarian designated by the owner at the owner's expense for quarantine pending a determination of the animal's status as a dangerous animal. In the event an animal bites a member of the animal owner's family, and the animal owner requests that the animal be impounded by the animal owner, the animal control officer or law enforcement officer may, in his discretion, allow the animal owner to impound said animal on said animal owner's property.
- (d) Upon impounding an animal under this section, a determination hearing should be conducted as soon as reasonably possible, with notice of such hearing being served on the owner by registered mail or personal service at least ten days prior to the hearing. If the owner fails to appear at the hearing, the hearing shall nevertheless proceed and an appropriate order may be issued. The magistrate shall determine whether to declare the animal to be a dangerous animal based upon the evidence and testimony presented at the hearing by the owner, witnesses to any incidents, or any other persons possessing information pertinent to such determination, such as veterinarians or dog obedience trainers. The magistrate shall issue written findings within ten business days after the hearing. The owner of such animal shall have a right to appeal the decision to the court of common pleas of the county within ten days of receiving the decision of the magistrate.
- (e) An animal determined to be dangerous under this section which has attacked or caused injury to a human being or a domestic animal may be ordered destroyed by the magistrate when in the magistrate's judgment the dangerous animal represents a continuing threat of serious harm to human beings or other domestic animals after the quarantine period has expired. Any dangerous animal may also be destroyed if the owner of the dangerous animal relinquishes ownership or control of the animal to the animal shelter or law enforcement officer. A magistrate may return a dangerous animal to the owner if the magistrate finds that the animal will not pose a threat to human beings and/or domestic animals and that the owner has and will fully comply with subsections (f), (g), and (h) of this section.
- (f) The owner of a dangerous animal shall secure and confine said dangerous animal on the owner's property in an enclosed pen or structure which must be secured by lock and key or combination lock. The pen or structure shall be suitable to prevent the animal from escaping. The pen or structure shall have secure sides and a secure top which protects the animal from the elements. Also, all sides must be embedded into the ground with no less than two feet unless the bottom is secured to the sides. The structure must be kept in a

clean and sanitary condition and provide adequate light and ventilation. The enclosure shall not be less than five feet by ten feet and not less than six feet high.

- (g) No person owning or harboring or having care of a dangerous animal may permit the animal to go beyond the person's premises unless the animal is securely muzzled and restrained with a leash or chain having a minimum tensile strength of 300 pounds and not exceeding three feet in length.
- (h) In accordance with S.C. Code of Laws § 47-3-760(E), all dangerous animals inside Oconee County must be registered with the Oconee County Animal Control, or its successor "law enforcement authority." If the animal was deemed dangerous by an Oconee County Court, a copy of the court order must be kept on file. If the dangerous animal was transferred into Oconee [County] from another county or state, documentation from that jurisdiction must be provided within 30 days. The director of animal control will be responsible for maintaining records of all dangerous animals inside Oconee County. The registration application must be accompanied by proof of liability insurance or surety bond of at least \$50,000.00 insuring or securing the owner for personal injuries inflicted by the dangerous animal. Oconee County Animal Control, or its successor, shall provide to the owner registering the dangerous animal a metal license tag and a certificate along with a designed dangerous dog collar. Fees for these items must be collected at registration. The metal license tag must be attached to a collar or harness and worn at all times by the dangerous animal for which the certificate and tag have been issued. The pen or structure must be clearly marked on four sides with a sign stating "dangerous animal."
- (1) Registration information required for dangerous animals:
 - a. Species and breed.
 - b. Address of where animal will be located.
 - c. Owner information.
 - d. Proofs of rabies inoculation (must be submitted annually).
 - e. Photo of animal (must be submitted annually).
 - f. Waiver for inspections of confinement site.
- (2) The owner of a dangerous animal shall notify Oconee County Animal Control if any changes occur with the following:
 - a. Ownership. In the case of a change of ownership, the name, address, and telephone number of the new owner/custodian must, within five days of transfer, be provided to Oconee County Animal Control. Oconee County Animal Control will notify the new owner/custodian of the dangerous animal's status, and also notify the animal control services in the jurisdiction where the animal is housed.
 - b. Address change of the owner/custodian or any change in the location in which the animal is housed.
 - c. Any material change in the health status of the animal.
 - d. Death of the animal.

(Ord. No. 2005-01, § 7, 2-1-2005; Ord. No. 2022-29, § 1(Exh. B), 1-3-2023)

Cross reference(s)—Environment. ch. 12

Sec. 4-8. Potentially dangerous animals.

- (a) The animal control officer or law enforcement officials shall have the power to summarily and immediately impound any animal where there is any evidence that the animal has chased or approached any person or domestic animal, on property other than the property of the owner, in a menacing fashion or with an apparent attitude of attack, including, but not limited to, behavior such as growling or snarling. The animal shall be kept at the county animal shelter or at a veterinarian designated by the owner at the owner's expense for quarantine pending determination of the animal's status as a potentially dangerous animal. The animal control officer or law enforcement officer may, in his discretion, allow the animal owner to impound said animal on said animal owner's property.
- (b) Upon impounding a potentially dangerous animal, a determination hearing should be conducted as soon as reasonably possible, with notice of such hearing being served on the owner by registered mail or personal service at least ten days prior to the hearing. If the owner fails to appear at the hearing, the hearing shall nevertheless proceed and an appropriate order may be issued. The magistrate shall determine whether to declare the animal to be a potentially dangerous animal based upon the evidence and testimony presented at the hearing by the owner, witnesses to any incidents, or any other persons possessing information pertinent to such determination, such as veterinarians or dog obedience trainers. The magistrate shall issue written findings within ten business days after the hearing. The owner of such animal shall have a right to appeal the decision to the court of common pleas of the county within ten days of receiving the decision of the magistrate.
- (c) Upon a finding that an animal is a potentially dangerous animal, the magistrate may order that the animal be forfeited by the owner and placed with an agency willing to accept custody of said animal or may return said animal to the owner if the owner has and will comply with subsections (d) and (e) of this section.
- (d) The owner of a potentially dangerous animal shall secure and confine said potentially dangerous animal on the owner's property in an enclosed and locked (with a key or combination lock) pen or structure, suitable to prevent the animal from escaping said pen or structure. The pen or structure shall have secure sides and a secure top which protects the animal from the elements. Also, all sides must be embedded into the ground with no less than two feet unless the bottom is secured to the sides. The structure must be kept in a clean and sanitary condition and provide adequate light and ventilation. The enclosure shall not be less than five feet by ten feet and not less than six feet high.
- (e) No person owning or harboring or having care of a potentially dangerous animal may permit the animal to go beyond the person's premises unless the animal is securely muzzled and restrained with a leash or chain having a minimum tensile strength of 300 pounds and not exceeding three feet in length.

(Ord. No. 2005-01, § 8, 2-1-2005; Ord. No. 2022-29, § 1(Exh. B), 1-3-2023)

Sec. 4-9. Animal care.

- (a) No owner shall fail to provide his animals with:
 - (1) Necessary substance and adequate shelter, as defined in section 4-2;
 - (2) Veterinary care when needed to prevent suffering; and
 - (3) Humane care and treatment.

All animals shall be kept in a clean and sanitary condition. The premises upon which the animal is kept shall be kept in a clean and sanitary condition and provide adequate light, shelter and ventilation.

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- (b) No owner of an animal shall abandon such animal. A person who returns a community cat to the location from where it was collected shall not be considered to have abandoned that animal.
 - (c) Any animal found abandoned and not properly cared for, appearing to be diseased or injured past recovery for any useful purpose, may be humanely euthanized by an agent of the department of health and environmental control, law enforcement officer, or an animal control officer, by a method approved by state law.
 - (1) If the animal is identifiable, attempts to contact the owner shall be made by phone or at the residence in person.
 - (2) If the animal is not identifiable and is in great pain, the cause of which is not reasonably treatable, the animal may be humanely euthanized immediately without attempts to contact the cause.
 - (d) Any animal found abandoned, neglected, cruelly treated, or unfit for use may be seized from the owner's property by the animal control officer or law enforcement officer and impounded at the county animal shelter; provided, however, that the officer shall give notice of this seizure by posting a copy of it at the location where the animal was seized or by delivering it to a person residing on the property of the owner within 24 hours of the time the animal was seized.
 - (e) The owner of any animal impounded under the provisions of this section shall be responsible for payment of any necessary medical care as determined by a veterinarian in addition to any penalties, impoundment fees, and board fees.

(Ord. No. 2005-01, § 9, 2-1-2005; Ord. No. 2022-29, § 1(Exh. B), 1-3-2023)

Sec. 4-11. Enforcement.

The civil and criminal provisions of this chapter shall be enforced by those persons or agencies legally authorized by the county for that purpose. It shall be a violation of this chapter to interfere with an animal control officer or law enforcement officer in the performance of his duties. It shall be a violation of this chapter to provide false information to a law enforcement officer or an animal control officer. This includes, but is not limited to, information provided on intake forms, bite reports, owner surrender forms, compliant forms, and reclaim forms. Any person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction may be fined and/or imprisoned consistent with the jurisdictional limits of the magistrate's court. Additionally, the magistrate of the county shall have the authority to issue a bench warrant in the enforcement of this chapter.

(Ord. No. 2005-01, § 11, 2-1-2005; Ord. No. 2022-29, § 1(Exh. B), 1-3-2023)

Sec. 4-14. Breeder, Rescue, and Hunter Registration.

- (A) Breeder registration. Any person and/or business engaged in breeding and the sale of dogs and/or cats within the unincorporated area of Oconee County must complete an application for registration with Oconee County Animal Control prior to breeding.
- (B) Application fee. In accordance with this chapter, a one-time application fee of \$10.00 is required at the time of application with Oconee County Animal Control, with no annual or additional registration fees thereafter. Any person, business, or nonprofit organization acting as an Animal Rescue Organization shall complete a one-time application with Oconee County Animal Control.
- (C) Annual renewal. Registration issued pursuant to subsections (A) and (B) shall be renewed annually at no cost or additional fee in order to remain in compliance. If registration becomes expired for more than two consecutive years, a new application shall be required, together with the \$10.00 application fee.

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- (D) Minimum standard of care. All breeders, rescues, and other persons subject to this section shall maintain the minimum standard of care required by South Carolina Code of Laws, Chapter 47, and Oconee County Code § 4-9.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 4, “ANIMALS,” OF THE CODE OF ORDINANCES OF OCONEE COUNTY, SOUTH CAROLINA, BY AMENDING SECTION 4-4, “RESTRAINT,” AND ADDING SECTION 4-14, “BREEDER, RESCUE, AND HUNTER REGISTRATION”; PROVIDING FOR A SIX-MONTH EDUCATION AND GRACE PERIOD; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Oconee County Council is authorized to adopt ordinances concerning the control of dogs and other domestic pets pursuant to applicable provisions of the South Carolina Code of Laws, including S.C. Code § 47-3-20 et seq.; and

WHEREAS, County Council desires to amend Chapter 4, “Animals,” of the Oconee County Code of Ordinances to establish additional requirements concerning unspayed and unneutered dogs and cats, breeding registration, and animal rescue registration; and

WHEREAS, County Council further desires to provide a six-month period following the effective date of this Ordinance for public education, notice, and compliance before the new requirements are subject to monetary penalties or mandatory sterilization; and

WHEREAS, County Council intends that all provisions of Chapter 4 not expressly amended by this Ordinance remain in full force and effect.

NOW, THEREFORE, BE IT ORDAINED BY THE OCONEE COUNTY COUNCIL:

SECTION 1. Amendment to Section 4-4.

Section 4-4, “Restraint,” of Chapter 4, “Animals,” of the Oconee County Code of Ordinances is hereby amended by replacing subsection (c) in its entirety and adding new subsections (c)(1) and (c)(2), to read as follows:

Sec. 4-4. Restraint.

(c) Female dogs and cats; unspayed and unneutered animals.

(1) Owners shall ensure that any female dog or cat in heat is confined in a building or secure enclosure of appropriate size and height to prevent escape and/or coming into contact with another animal.

(2) Owners shall ensure that their unneutered or unspayed dog or cat is restrained to the property in such a manner that the animal cannot breed without a current breeder registration issued pursuant to Section 4-14 of this chapter. A first offense shall result in a fine of \$257.50. A second offense shall result in a fine of \$1,087.50. A third offense shall result in mandatory sterilization of the animal, as ordered and administered in accordance with applicable law. Hunting dogs are exempt from this subsection when the owner or the owner’s designee is acting in accordance with S.C. Code § 50-11-780.

SECTION 2. Addition of Section 4-14.

Chapter 4, “Animals,” of the Oconee County Code of Ordinances is hereby amended by adding a new Section 4-14, “Breeder, Rescue, and Hunter Registration,” to read as follows:

Sec. 4-14. Breeder, Rescue, and Hunter Registration.

(A) Breeder registration. Any person and/or business engaged in breeding and the sale of dogs and/or cats within the unincorporated area of Oconee County must complete an application for registration with Oconee County Animal Control prior to breeding.

(B) Application fee. In accordance with this chapter, a one-time application fee of \$10.00 is required at the time of application with Oconee County Animal Control, with no annual or additional registration fees thereafter. Any person, business, or nonprofit organization acting as an Animal Rescue Organization shall complete a one-time application with Oconee County Animal Control.

(C) Annual renewal. Registration issued pursuant to subsections (A) and (B) shall be renewed annually at no cost or additional fee in order to remain in compliance. If registration becomes expired for more than two consecutive years, a new application shall be required, together with the \$10.00 application fee.

(D) Minimum standard of care. All breeders, rescues, and other persons subject to this section shall maintain the minimum standard of care required by South Carolina Code of Laws, Chapter 47, and Oconee County Code § 4-9.

SECTION 3. Six-Month Education and Grace Period.

For a period of six (6) months following the effective date of this Ordinance, Oconee County Animal Control shall use the period primarily for public education, notice, and compliance assistance concerning the requirements added or amended by this Ordinance. During the six-month period, enforcement personnel may issue warnings and provide educational materials. The monetary penalties and mandatory sterilization provisions established by Section 4-4(c)(2) shall not be imposed for conduct occurring during this six-month period, except as otherwise required by applicable law.

SECTION 4. Existing Provisions Unchanged.

Except as expressly amended by this Ordinance, all other provisions of Chapter 4, "Animals," of the Oconee County Code of Ordinances shall remain unchanged and in full force and effect.

SECTION 5. Severability.

If any section, subsection, paragraph, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. Effective Date.

This Ordinance shall become effective upon approval by Oconee County Council and execution as required by law. The six-month education and grace period established in Section 3 shall commence on the effective date.

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RESOLVED this _____ day of _____, 2026, in meeting duly assembled.

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Pursuant to SC Self-Service Storage Facility Act & to satisfy Owner's lien Storage Sense located at 365 Keowee School Road, Seneca, SC. 29672, intends to sell the personal property described below. Everything sold is purchased AS-IS for cashier's check or money orders NO CASH. See and bid on all units 24/7 at www.lockerfox.com Bidding ends on Wednesday October 14th @ 11am. Storage Sense reserves the right to refuse any bid or rescind any purchase until the winning bidder takes possession of the property. TERMS listed on auction website. 0156,Katherine Earle,Misc.Items; 0351,Amanda Deal,Misc.Items.

NOTICE OF PUBLIC SALE: Pursuant to SC Self-Service Storage Facility

Act & to satisfy Owner's lien Storage Sense located at 2254 Sandifer Blvd. Westminster, SC. 29693 intends to sell the personal property described below. Everything sold is purchased AS-IS for cashier's check or money orders NO CASH. See and bid on all units 24/7 at www.lockerfox.com Bidding ends on Wednesday, October 7 @ 11am. Storage Sense reserves the right to refuse any bid or rescind any purchase until the winning bidder takes possession of the property. TERMS are listed on the auction website. B0315 Michael Chamberlin, Chair; B1101 Cristal Villegas, TV.

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LEGALS

OCONEE COUNTY SOLID WASTE FY 25 - 26
FULL COST DISCLOSURE

The South Carolina Solid Waste Policy and Management Act of 1991 (Section 44-96-90) requires all local governments to annually report the full cost of providing solid waste management services. The total cost to manage solid waste in Oconee County for the period of July 1, 2025 – June 30, 2026 was \$7,312,223.16. The total cost per Ton was \$66.23. The total cost per Capita was \$87.28.

STATE OF SOUTH CAROLINA COURT OF COMMON PLEAS COUNTY OF OCONEE NON-JURY MATTER

TRI-CITY RESCUE SQUAD now known as SENECA RESCUE SQUAD, INC., Plaintiff, C/A #2026-CP-37-00785 v.

J. P. STEVENS & COMPANY, INCORPORATED now known as J. P. STEVENS & CO., INC., its Successors, Assigns, Directors, Officers, Shareholders, and all persons Claiming any right, title, estate, interest, Lien, or encumbrance in the subject Property, Defendant.

LIS PENDENS NOTICE IS HEREBY GIVEN, that an action has been commenced and is now pending in this Court upon Complaint of the above-named Plaintiff against the above named Defendants, for purposes of removing any cloud from title to the real property which is the subject of this action, by reason of a reverter clause in the Deed from J. P. Stevens & Company, Inc. to Tri-City Rescue Squad; that the subject premises were, at the time of the commencement of this action and at all times thereafter, including the date of the filing of this Notice, situate in Oconee County, South Carolina, and more fully described as follows, to wit: All that certain piece, parcel or lot of land lying and being situate in the State of South Carolina, County of Oconee, being known and designated as Lot 373, as shown and more fully described on a plat thereof for Utica & Pickell, Engineers, dated October of 1950, and recorded in Plat Book H, page 93, and being more particularly described as follows, to wit: BEGINNING at an iron pin on Goddard Avenue (southwestern most point on the property herein conveyed) and running thence along Goddard Avenue N 26-46 W 150.6 feet to a point; thence, N 63-14 E 484.9 feet to a point; thence, S 37-35 E 177.7 feet to a point on the North side of a 20 foot street; thence, running along the Street S 85-50 W 518.2 feet to the point of BEGINNING on Goddard Avenue. This being the identical property conveyed unto Tri-CitybRescue Squad by Deed of J. P. Stevens and Company, Inc. recorded in Deed Book 12-U, page 8, records of Oconee County, South Carolina. Tax Map No. 520-36-10-006 08/18/26

SUMMONS FOR RELIEF (Complaint not served)
TO THE DEFENDANT ABOVE NAMED: YOU ARE HEREBY SUMMONED AND REQUIRED to apply to the Clerk of this Court for a copy of the Complaint filed in this matter on

the 25th day of April, 2026, and to Answer the Complaint and serve a copy of your Answer upon the undersigned at their offices at 107 North Fairplay Street [or at P. O. Box 795 in Seneca, South Carolina, thirty days after service hereof upon you, exclusive of the day of such service, and if you fail to answer the Complaint within that time, the Plaintiff will apply to the Court for the relief sought therein.

09/15/26
Derrick, Ritter, Williams & Morris, P.A. s/Emma W. Morris S.C. Bar No. 9080 107 N. Fairplay Street Seneca, SC 29678 (864-882-2747) Attorneys for the Plaintiff emma@drmlaw.com

NOTICE OF SALE

NOTICE OF SALE CIVIL ACTION NO. 2024CP3700797 BY VIRTUE of the decree
heretofore granted in the case of: NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING v. BETTY F. ROGERS; WILLIAM R. ROGERS; SOUTH CAROLINA DEPARTMENT OF REVENUE; PORTFOLIO RECOVERY ASSOCIATES, LLC; SOUTH STATE BANK AS SUCCESSOR BY MERGER TO SENECA NATIONAL BANK, the undersigned Clerk of Court for OCONEE County, South Carolina, will sell on October 5, 2026 at 11:00 AM, at the OCONEE County Courthouse, 205 West Main Street, Walhalla, SC 29691, to the highest bidder: ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND, WITH IMPROVEMENTS THEREON, SITUATE, LYING AND BEING IN THE BOUNTY LAND COMMUNITY, OCONEE COUNTY, SOUTH CAROLINA, CONTAINING 1.00 ACRE, MORE OR LESS, AS SHOWN ON A PLAT PREPARED BY JAMES G. HART, RLS #6674, DATED JANUARY 11, 1999, AND RECORDED IN PLAT BOOK A654, PAGE 5, RECORDS OF OCONEE COUNTY, SOUTH CAROLINA. THIS BEING THE SAME PROPERTY CONVEYED TO WILLIAM R. ROGERS AND BETTY F. ROGERS BY DEED OF HOMER FRANKS AND MARGARET FRANKS RECORDED JANUARY 19, 1999 IN BOOK 1013 AT PAGE 14 TMS No.: 207-00-01-109 Property Address: 465 ALBERTS RD, SENECA, SC 29672

TERMS OF SALE: The successful bidder, other than the Plaintiff, will deposit with the Clerk of Court, at conclusion of the bidding, five percent (5%) of his bid, in cash or equivalent, as evidence of good faith, same to be applied to the purchase price in case of compliance, but in the case of non-compliance to be forfeited and first applied to the cost incurred by the Plaintiff related to the sale and the balance then applied to the Plaintiff's debt in the manner suitable to the Plaintiff. Should the last and highest bidder fail to comply with the other terms of the bid within thirty (30) days, then the Clerk of Court may re-sell the property on the same terms and conditions on some subsequent Sales Day.

Plaintiff is demanding a deficiency. The Plaintiff may waive any of its rights, including its right to a deficiency judgment, prior to sale. Deficiency judgment being demanded, the bidding will not be closed on the day of sale but will remain open for a period of thirty (30) days. Purchaser to pay for documentary stamps on the deed. The successful bidder will be required to pay interest on the amount of the balance of the bid from the date of sale to the date of compliance with the bid at the rate of 3.50% per annum. The sale shall be subject to any past due or accruing property taxes, assessments, existing easements and restrictions of record and any other senior encumbrances. The sale shall be subject to all title matters of record and any interested party should consider performing an independent title examination of the subject property as no warranty is given. Neither the Plaintiff nor its counsel make representations as to the integrity of the title or the fair market value of the property offered for sale. Prior to bidding, you may wish to review the current state law or seek the advice of any attorney licensed in South Carolina. In the event an agent of the Plaintiff does not appear at the time of sale. The within property shall be withdrawn from sale and sold at the next available sales date upon the terms and conditions as set forth in the Judgment of Foreclosure and Sale or such terms as may be set forth in a supplemental order.

Melissa C. Burton Clerk of Court for OCONEE County

ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC Attorney for Plaintiff 13010 Morris Road, Suite 450 Alpharetta, GA 30004 Telephone: (470) 321-7112 Facsimile: (404) 393-1425

NOTICE OF SALE

CIVIL ACTION NO. 2025-CP-37-00863 BY VIRTUE of the judgment granted in NFCU vs. Brendan Andrew Messer, the Clerk of Court for Oconee County, South Carolina, will sell on October 5, 2026, at 11:00 AM, or on another date approved by the Court, at the Courthouse, City of Walhalla, State of South Carolina, to the highest bidder: ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND, TOGETHER WITH ANY AND ALL IMPROVEMENTS LOCATED THEREON, LYING AND BEING SITUATE IN THE STATE OF SOUTH CAROLINA, COUNTY OF OCONEE, BEING KNOWN AND DESIGNATED AS LOT A AS SHOWN AND MORE FULLY DESCRIBED ON A PLAT OF SURVEY PREPARED BY JAMES G. HART RECORDED IN PLAT BOOK B849 AT PAGE 5. RECORDS OF THE REGISTER OF DEEDS OFFICE FOR OCONEE COUNTY, SOUTH CAROLINA; HAVING THE METES AND BOUNDS, COURSES AND DISTANCES AS APPEAR UPON SAID PLAT, BEING INCORPORATED HEREIN BY REFERENCE THERETO. THIS CONVEYANCE IS MADE SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAY, SET BACK LINES, ZONING ORDINANCES, COVENANTS, RESTRICTIONS, AND ANY OTHER ENCUMBRANCES OF RECORD OR WHICH MAY OTHERWISE BE SHOWN UPON THE PROPERTY.

THIS BEING THE SAME PROPERTY CONVEYED TO BRENDAN ANDREW MESSER BY DEED OF ANNETTE H. BLACK DATED JULY 14, 2023, AND RECORDED JULY 17, 2023, IN BOOK 2962 AT PAGE 259 IN THE OFFICE OF THE REGISTER OF DEEDS FOR OCONEE COUNTY, SOUTH CAROLINA.

CURRENT ADDRESS OF PROPERTY: 124 Cedar St, Westminster, SC 29693
TMS: 530-22-10-002
TERMS OF SALE: The successful bidder, other than the Plaintiff, will deposit with the Clerk of Court, at conclusion of the bidding, five percent (5%) of its bid, in cash or equivalent to be applied to the purchase price in case of compliance, but in the case of non-compliance to be forfeited and applied first to the costs of sale and the balance of Plaintiff's debt. If the highest bidder fails to comply with the bid within thirty (30) days, the Clerk of Court may re-sell the property on some subsequent sales day.

No personal or deficiency judgment being demanded, the bidding shall be final on the sale date, and the successful bidder may comply immediately.

The successful bidder shall pay all costs associated with recording the deed. The successful bidder will pay interest on the balance of the bid from sale date to compliance date at the rate of 5.875%. The sale shall be subject to taxes, assessments, easements and restrictions of record, and any senior encumbrances. If an agent of Plaintiff does not appear at the sale, the property shall be withdrawn and sold at the next available sales date upon the same terms and conditions.

Oconee County Clerk of Court

Brock & Scott, PLLC 1400 Browning Road, Suite 160 Columbia, SC 29210 Attorneys for Plaintiff Phone (803) 454-3540 Fax (803) 454-3541

NOTICE OF SALE

NOTICE OF SALE CIVIL ACTION NO. 2026CP3700337 BY VIRTUE of the decree
heretofore granted in the case of: PLANEY HOME LENDING LLC v. CARYS SHEA CHUBA, the undersigned Clerk of Court for OCONEE County, South Carolina, will sell on October 5, 2026 at 11:00 AM, at the OCONEE County Courthouse, 205 West Main Street, Walhalla, SC 29691, to the highest bidder: ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND SITUATE, LYING AND BEING IN THE STATE OF SOUTH CAROLINA, COUNTY OF OCONEE, BEING SHOWN AND DESIGNATED AS LOT NUMBER SIXTY-SIX (66) OF UTICA & MOHAWK COTTON MILLS, INC., ALSO KNOWN AS 22 GAMMEL STREET, AS SHOWN ON PLAT PREPARED BY CLAUDE BURDETTE, DATED OCTOBER 11, 1950 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR OCONEE COUNTY, SOUTH CAROLINA IN PLAT BOOK H AT PAGE 93, AND HAVING THE METES AND BOUNDS, COURSES AND DISTANCES AS UPON SAID PLAT APPEAR. THIS BEING THE SAME PROPERTY CONVEYED TO CARYS SHEA CHUBA BY DEED OF SWIFT MOVES, LLC DATED 5/3/2024 RECORDED 5/8/2024 AT BOOK 3072 AND PAGE 85 IN THE REGISTER OF DEEDS FOR OCONEE COUNTY, SC. TMS No.: 240-03-09-00 Property Address: 22 GAMMELL ST, SENECA, SC 29678

TERMS OF SALE: The successful bidder, other than the Plaintiff, will deposit with the Clerk of Court, at conclusion of the bidding, five percent (5%) of his bid, in cash or equivalent, as evidence of good faith, same to be applied to the purchase price in case of compliance, but in the case of non-compliance to be forfeited and first applied to the cost incurred by the Plaintiff related to the sale and the balance then applied to the Plaintiff's debt in the manner suitable to the Plaintiff. Should the last and highest bidder fail to comply with the other terms of the bid within thirty (30) days, then the Clerk of Court may re-sell the property on the same terms and conditions on some subsequent Sales Day. A personal or deficiency judgment being waived by Plaintiff, the sale shall close on the day of the Sale. Purchaser to pay for documentary stamps on the deed. The successful bidder will be required to pay interest on the amount of the balance of the bid from the date of sale to the date of compliance with the bid at the rate of 6.75% per annum. The sale shall be subject to any past due or accruing property taxes, assessments, existing easements and restrictions of record and any other senior encumbrances. The sale shall be subject to all title matters of record and any

interested party should consider performing an independent title examination of the subject property as no warranty is given. Neither the Plaintiff nor its counsel make representations as to the integrity of the title or the fair market value of the property offered for sale. Prior to bidding, you may wish to review the current state law or seek the advice of any attorney licensed in South Carolina. In the event an agent of the Plaintiff does not appear at the time of sale. The within property shall be withdrawn from sale and sold at the next available sales date upon the terms and conditions as set forth in the Judgment of Foreclosure and Sale or such terms as may be set forth in a supplemental order.

Melissa C. Burton, Clerk of Court for OCONEE County

ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC Attorney for Plaintiff 13010 Morris Road, Suite 450 Alpharetta, GA 30004 Telephone: (470) 321-7112 Facsimile: (404) 393-1425

NOTICE OF APPLICATION

Notice is hereby given that Oak House intends to apply to the South Carolina Department of Revenue for a license/permit that will allow the sale and On Premises consumption of Beer, Wine & Liquor at 115 Broad Street, Central, SC 29630

To object to the issuance of this permit/license, written protest must be postmarked no later than October 2nd, 2026.

For a protest to be valid, it must be in writing, and should include the following information:

- (1) The name, address and telephone number of the person filing the protest;
- (2) The specific reasons why the application should be denied;
- (3) That the person protesting is willing to attend a hearing (if one is requested by the applicant);
- (4) That the person protesting resides in the same county where the proposed place of business is located or within five miles of the business; and,
- (5) The name of the applicant and the address of the premises to be licensed.

Protests must be mailed to: S.C. Department of Revenue, ABL SECTION, P.O. Box 125, Columbia, SC 29214-097.

The Oconee County Law Enforcement, Public Safety, Health and Welfare Committee will hold a special meeting at 4 p.m. on Tuesday, October 6, 2026 in council chambers located at 415 S. Pine St., Walhalla, SC.

STATE OF SOUTH CAROLINA COUNTY OF OCONEE IN THE COURT OF COMMON PLEAS CASE NO. 2026-CP-37-00663

Citibank, N.A., as Trustee for CMLTI Asset Trust, PLAINTIFF, VS. Earle Brothers Oconee Investments LLC;

and David Earle, as Guarantor, DEFENDANT(S).

SUMMONS AND NOTICE OF FILING OF COMPLAINT (261106.00016)

TO THE DEFENDANT DAVID EARLE, AS GUARANTOR ABOVE NAMED: YOU ARE HEREBY SUMMONED and required to answer the Complaint in the above entitled action, copy of which is herewith served upon you, and to serve copy of your answer upon the undersigned at their offices, 1800 St. Julian Place, Suite 407, Columbia, SC 29204 or P.O. Box 2065, Columbia, SC 29202, within thirty (30) days after service hereof upon you, exclusive of the day of such service, and if you fail to answer the Complaint within the time aforesaid, the Plaintiff in this action will apply to the Court for the relief demanded in the Complaint, and judgment by default will be rendered against you for the relief demanded in the Complaint. YOU WILL ALSO TAKE NOTICE that should you fail to Answer the foregoing Summons, the Plaintiff will move for a general Order of Reference of this cause to the Master in Equity for Oconee County, which Order shall, pursuant to Rule 53(e) of the South Carolina Rules of Civil Procedure, specifically provide that the said Master in Equity is authorized and empowered to enter a final judgment in this cause. TO THE MINOR(S) OVER FOURTEEN YEARS OF AGE AND/OR MINOR(S) UNDER FOURTEEN YEARS OF AGE AND THE PERSON WITH WHOM THE MINOR(S) RE-

SIDES AND/OR TO PERSONS UNDER SOME LEGAL DISABILITY: YOU ARE FURTHER SUMMONED AND NOTIFIED to apply for the appointment of a Guardian Ad Litem to represent said minor(s) within thirty (30) days after the service of this Summons and Notice upon you. If you fail to do so, application for such appointment will be made by the Plaintiff(s) herein. **NOTICE IS HEREBY GIVEN** that the original Complaint in the above entitled action was filed in the office of the Clerk of Court for Oconee County on July 27, 2026. MCCALLA RAYMER LEIBERT PIERCE, LLP* By: /s/Angelia J. Grant Ronald C. Scott (Ron.Scott@mccalla.com), SC Bar #4996 Reginald P. Corley (Reggie.Corley@mccalla.com), SC Bar #69453 Angelia J. Grant (Angi.Grant@mccalla.com), SC Bar #78334 Allison E. Heffernan (Allison.Heffernan@mccalla.com), SC Bar #68530 H. Guyton Murrell (Guyton.Murrell@mccalla.com), SC Bar #64134 Jordan D. Beumer (Jordan.Beumer@mccalla.com), SC Bar #104074 ATTORNEYS FOR THE PLAINTIFF 1800 St. Julian Place, Suite 407 Columbia, SC 29204 803-252-3340

*Effective July 1, 2026, Scott & Corley, P.A. is now known as McCalla Raymer Leibert Pierce, LLP

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS IN THE TENTH JUDICIAL CIRCUIT COUNTY OF OCONEE CASE NO.: 2026-CP-37-00801

ARNOLD WAYNE HOOVER AND SANDRA M. HOOVER,

Plaintiffs, SUMMONS v. Foreclosure of Mortgage Deficiency Judgment Waived

LEON BROWN, A.K.A. HAROLD LEON BROWN,a.k.a. Howard Leon Brown; and if Leon Brown, A.K.A. Harold Leon Brown, a.k.a. Howard Leon Brown be deceased then any and all children and heirs at law, distributees and devisees and, if any of the same be dead, any and all persons entitled to claim under or through them; also all other persons unknown claiming any right, title, interest, estate in or lien upon the real estate described in the Complaint herein; any unknown adults; any unknown infants or persons under disability, being a class designated as John Doe; and persons in the military service of the United States of America, being a class designated as Richard Roe, (North-Jury) Defendant(s). TO THE DEFENDANT(S) ABOVE NAMED: YOU ARE HEREBY SUMMONED AND REQUIRED to answer the Complaint herein, a copy of which is herewith served upon you, and to serve a copy of your Answer to the Complaint upon the subscriber at his office at 325 Main Street, Seneca, South Carolina 29678, within thirty (30) days of the date of service hereof, exclusive of the date of such service, and if you fail to Answer the Complaint within the time aforesaid, the Plaintiffs will apply to the Court for the relief requested in the Complaint.

IN THE EVENT YOU ARE AN INFANT OVER FOURTEEN YEARS OF AGE OR AN IMPRISONED PERSON you are further summoned and notified to apply for the appointment of a Guardian Ad Litem to represent you in this action within thirty (30) days after the service of this Summons and Notice upon you. If you fail to do so, application for such appointment will be made by the Plaintiff(s) herein. IN THE EVENT YOU ARE AN INFANT UNDER FOURTEEN YEARS OF AGE OR ARE INCOMPETENT OR INSANE then you and the Guardian or committee are further summoned and notified to apply for the appointment of a Guardian Ad Litem to represent said infant under fourteen years of age or said incompetent or insane person within thirty (30) days after the service of this Summons and Notice upon you. If you fail to do so, application for such appointment will be made by the Plaintiff(s) herein. Summons, Complaint, and Verification Page 2 of 8 s/ Shaun D. Malone Shaun D. Malone, Esq., SC Bar #104188 325 Main Street Seneca, SC 29678 (864) 885-1090 shaun@caroljohnsonlaw.com Attorney for Plaintiffs August 14, 2026 Seneca, South Carolina

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THE JOURNAL

PUBLISHER'S AFFIDAVIT

STATE OF SOUTH CAROLINA COUNTY OF OCONEE

OCONEE COUNTY COUNCIL

IN RE:

BEFORE ME the undersigned, a Notary Public for the State and County above named, This day personally came before me, Larry Davidson, who being first duly sworn according to law, says that he is the General Manager of THE JOURNAL, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on

January 10, 2026

the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.

Subscribed and sworn to before me this
1/10/2026




Larry Davidson
General Manager



Velma J. Nelson
Notary Public
State of South Carolina

CLASSIFIED PLACE

864.973.6676

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HOUSES FOR SALE

PUBLISHERS NOTICE

All real estate advertising in this newspaper is subject to Federal Fair Housing Act of 1968 which makes it illegal to advertise "any preference, limitations or discrimination" based on race, color, religion, sex, handicap, familial status or national origin, or intention to make any such preference, limitation or discrimination." This newspaper will not knowingly accept any advertising for real estate which is in violation of the law. Our readers are hereby informed that all dwellings advertised in this newspaper are available on an equal opportunity basis.

LEGALS

Public Notice

Linda A. Traynor, of the South Carolina Department of Health and Environmental Control, is a Construction in Navigable Waters Permit to remove 177 cubic yards of silt by using an excavator on a barge at the edge of the shoreline and transported by barge to the off-load staging area. The silt will be removed from under and around the privately owned dock located at 122 Fair Haven Ct in Seneca, SC on Lake Keowee. Comments will be received by South Carolina Department of Health and Environmental Control at 2600 Bull St, Columbia SC 29201, ATTN: Charles Hightower, Division of Water Quality, until January 23, 2025.

Public Notice

Sharon Swindale has applied to the South Carolina Department of Health and Environmental Control for a Construction in Navigable Waters Permit to remove 256 cubic yards of silt by using an excavator on a barge at the edge of the shoreline and transported by barge to the off-load staging area. The silt will be removed from under and around the privately owned dock located at 13058 Janda Road in Seneca, SC on Lake Keowee. Comments will be received by South Carolina Department of Health and Environmental Control at 2600 Bull St, Columbia SC 29201, ATTN: Charles Hightower, Division of Water Quality, until January 23, 2025.

The Oconee County Aeronautics Commission meeting scheduled for Thursday January 29, 2026 has been canceled.

The meeting will instead be held on Tuesday January 27, 2026 at 3:30 pm in the Oconee County Chambers located at 415 S. Pine St., Walhalla, SC.

MEETING NOTICE OF THE PIONEER RURAL WATER DISTRICT

5500 West-Oak Hwy., Westminster, SC
Tuesday January 13, 2026 @ 3:00 pm

Agenda:
Call To Order
Concerns of the District
Limited: 2 citizens per meeting, for 5 minutes,
prior scheduling required.
Agenda & Non Agenda Items: Combined both
are limited to a total of forty (40) minutes, four
(4) minutes per person.
Approval of Minutes
Financial Report / System Report
Treatment Plant PER Discussion
Old Business
New Business
Adjourn

The Oconee County Council will meet in 2026 on the first and third Tuesday of each month with the following exceptions:

June and November meetings, which will be only on the third Tuesday of each of these months; October and December meetings, which will be only on the first Tuesday of each of these months.

All Council meetings, unless otherwise noted, are held in Council Chambers, Oconee County Administrative Offices, 415 South Pine Street, Walhalla, South Carolina.

Oconee County Council will also hold a Planning Retreat beginning at 9:00 a.m. on Friday, February 20, 2026 to establish short- and long-term goals. This meeting will be held off-site at Tri-County Technical College, Oconee Campus, conference room located at 552 Education Way, Westminster, South Carolina.

Oconee County Council will also meet on Tuesday, January 5, 2027 in Council Chambers at which point they will establish their 2027 Council and Committee meeting schedules. Additional Council meetings, workshops, and/or committee meetings may be added throughout the year as needed.

Oconee County Council Committees will meet in 2026 prior to County Council meetings on the following dates/times in Council Chambers located at 415 South Pine Street, Walhalla, South Carolina unless otherwise advertised. The Law Enforcement, Public Safety, Health, & Welfare Committee at 4:30 p.m. on the following dates: February 17, May 19, July 21, & September 15, 2026.

The Transportation Committee at 4:30 p.m. on the following dates: February 17, May 19, July 21, & September 15, 2026.

The Real Estate, Facilities, & Land Management Committee at 4:30 p.m. on the following dates: April 7, June 16, August 18, & October 06, 2026. The Planning & Economic Development Committee at 4:30 p.m. on

the following dates: April 7, June 16, August 18, & October 06, 2026. The Budget, Finance, & Administration Committee at 9:00 a.m. on the following dates: Friday, February 20th [Strategic Planning Retreat], Friday, February 27th [Budget Workshop] and 4:30 p.m. on the following dates: March 3, April 21, & May 5, 2026.

The Corinth-Shiloh Fire Commission will meet during 2026 on the third Thursday of each month. All Commission meetings, unless otherwise noted, will be held at the Corinth-Shiloh Fire Department, 940 Old Clemson Highway, Seneca, SC 29672, at 6:00 p.m. in the training room.

The Commission will hold two budget workshops on Tuesday, February 12, and Tuesday, March 6, at 6:00 p.m. at the fire department. The annual budget meeting will be held on Thursday, March 19, 2026, at 6:00 p.m.

Additional Commission meetings and/or workshops may be scheduled throughout the year as needed. A monthly schedule is available at the fire department.

Members of the Commission are invited to attend Corinth-Shiloh Volunteer Fire Department meetings, trainings, and community activities. These events will have no Commission agenda items and no Commission action will be taken. The monthly department meeting is held on the first Monday of each month. Training is held on the third Monday of each month, as well as the Saturday following the third Monday. A monthly schedule of activities, including dates and times, is available at the fire department.

Several fire department ceremonies are planned for 2026, to which the Fire Commission is invited. These events will have no Commission agenda items and no Commission action will be taken. Scheduled events include Meet the Chief on January 15 from 5:00 p.m. to 6:00 p.m., and the Transfer of Command on Friday, February 27, at 6:00 p.m. Summer and fall family events, Station Open Houses and other community fire department events, and the annual Christmas dinner has not yet been scheduled. Once finalized, dates, times, and locations will be available at the fire department. These events will have no Commission agenda items and no Commission action will be taken.

Commission agendas will be available and publicized no later than the day prior to the scheduled meeting and/or workshop at www.corinthshilohfd.com. All meetings and workshops, with the exception of executive sessions, are open to the public.

CLASSIFIEDS WORK!

Oconee County Council

Oconee County
Administrative Offices
415 South Pine Street
Walhalla, SC 29691

Phone: 864-718-1023
Fax: 864 718-1024

E-mail:
jennifercadams@oconeesc.com

John Elliott
District I

Matthew Durham
Chairman
District II

Don Mize
Vice Chairman
District III

Thomas James
Chairman Pro Tem
District IV

J. Glenn Hart
District V



The Oconee County Council will meet in 2026 on the first and third Tuesday of each month with the following exceptions:

- June and November meetings, which will be **only** on the third Tuesday of each of these months;
- October and December meetings, which will be **only** on the first Tuesday of each of these months.

All Council meetings, unless otherwise noted, are held in Council Chambers, Oconee County Administrative Offices, 415 South Pine Street, Walhalla, South Carolina.

Oconee County Council will also hold a Planning Retreat beginning at 9:00 a.m. on Friday, February 20, 2026 to establish short- and long-term goals. This meeting will be held off-site at Tri-County Technical College, Oconee Campus, conference room located at 552 Education Way, Westminster, South Carolina.

Oconee County Council will also meet on Tuesday, January 5, 2027 in Council Chambers at which point they will establish their 2027 Council and Committee meeting schedules.

Additional Council meetings, workshops, and/or committee meetings may be added throughout the year as needed.

Oconee County Council Committees will meet in 2026 prior to County Council meetings on the following dates/times in Council Chambers located at 415 South Pine Street, Walhalla, South Carolina unless otherwise advertised.

The Law Enforcement, Public Safety, Health, & Welfare Committee at 4:30 p.m. on the following dates: February 17, May 19, July 21, & September 15, 2026.

The Transportation Committee at 4:30 p.m. on the following dates: February 17, May 19, July 21, & September 15, 2026.

The Real Estate, Facilities, & Land Management Committee at 4:30 p.m. on the following dates: April 7, June 16, August 18, & October 06, 2026.

The Planning & Economic Development Committee at 4:30 p.m. on the following dates: April 7, June 16, August 18, & October 06, 2026.

The Budget, Finance, & Administration Committee at 9:00 a.m. on the following dates: Friday, February 20th [Strategic Planning Retreat], Friday, February 27th [Budget Workshop] and 4:30 p.m. on the following dates: March 3, April 21, & May 5, 2026.

Sec. 2-61. - Access to and conduct at county meetings, facilities and property.

(a) *Purpose.* The county council has determined that it is necessary to regulate access to county facilities, grounds and property in order to ensure the safety and security of the public who visit these areas or the county employees who serve them. The conduct of persons who visit county facilities and/or who have contact with county employees must also be regulated to preserve public order, peace and safety. The regulation of access and conduct must be balanced with the right of the public to have reasonable access to public facilities and to receive friendly, professional service from county employees. These regulations apply to all county facilities and meetings, as defined below, for and over which county council exercises control and regulation, and to the extent, only, not pre-empted by state or federal law.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Facility means any building, structure, or real property owned, leased, rented, operated or occupied by the county or one of its departments, offices or agencies.

Meeting means any assemblage of persons for the purpose of conducting county governmental business, operations or functions or any assemblage of persons within a county governmental facility. The term "meeting" includes, but is not limited to, county council meetings, county board and committee and staff meetings, trials, hearings and other proceedings conducted in the courts of general sessions and common pleas, family court, master-in-equity, probate court and magistrate's court; and other meetings by entities duly authorized by the county council.

(c) *Prohibited acts.* It shall be unlawful for any person to:

- (1) Utter loud, obscene, profane, threatening, disruptive or abusive language or to engage in any disorderly or disruptive conduct that impedes, disrupts or disturbs the orderly proceedings of any meeting, or operations of any department or function of the county government, including, without limitation, speaking when not explicitly recognized and authorized to do so by the presiding official in such meeting.
- (2) Bring, carry, or otherwise introduce any firearm, knife with blade longer than two inches or other dangerous weapon, concealed or not concealed, into any facility or meeting. This prohibition does not apply to law enforcement personnel or any other person whose official, governmental duties require them to carry such firearm, knife, or other weapon.
- (3) Engage in partisan political activity, including speech, in any meeting not authorized and called for the purpose of partisan political activity and explicitly authorized for such purpose in the facility in which such activity is to be conducted, or refusing to cease such activity when

the presiding official of the meeting in question has ruled that the activity in question is partisan political activity and has directed that such activity stop.

- (4) Interfere with, impede, hinder or obstruct any county governmental official or employee in the performance of his duties, whether or not on county government property.
- (5) Enter any area of a county government facility, grounds or property when such entry is prohibited by signs, or obstructed or enclosed by gates, fencing or other physical barriers. Such areas include rooms if clearly marked with signs to prohibit unauthorized entry.
- (6) Enter by vehicle any area of a county governmental facility, grounds or property when such area is prohibited by signs or markings or are obstructed by physical barriers; or park a vehicle in such restricted areas; or park in a manner to block, partially block or impede the passage of traffic in driveways; or park within 15 feet of a fire hydrant or in a fire zone; or park in any area not designated as a parking space; or park in a handicapped parking space without proper placarding or license plate; or park in a reserved parking space without authorization.
- (7) Use any county governmental facility, grounds or other property for any purpose not authorized by law or expressly permitted by officials responsible for the premises.
- (8) Enter without authorization or permission or refuse to leave any county governmental facility, grounds or other property after hours of operation.
- (9) Obstruct or impede passage within a building, grounds or other property of any county governmental facility.
- (10) Enter, without legal cause or good excuse, a county governmental facility, grounds or property after having been warned not to do so; or, having entered such property, fail and refuse without legal cause or good excuse to leave immediately upon being ordered or requested to do so by an official, employee, agent or representative responsible for premises.
- (11) Damage, deface, injure or attempt to damage, deface or injure a county governmental property, whether real property or otherwise.
- (12) Enter or attempt to enter any restricted or nonpublic ingress point or any restricted access area, or bypass or attempt to bypass the designated public entrance or security checkpoint of a facility without authorization or permission.
- (13) Perform any act which circumvents, disables or interferes with or attempts to circumvent, disable or interfere with a facility's security system, alarm system, camera system, door lock or other intrusion prevention or detection device. This includes, without limitation, opening, blocking open, or otherwise disabling an alarmed or locked door or other opening that would allow the entry of an unauthorized person into a facility or restricted access area of the facility.
- (14) Exit or attempt to exit a facility through an unauthorized egress point or alarmed door.

- (d) *Penalty for violation of section.* Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished in accordance with section 1-7. In addition, vehicles that are improperly parked on any county property, facility, or other premises may be towed at the owner's expense.

(Ord. No. 2003-04, §§ 1—4, 4-15-2003; Ord. No. 2012-06, § 1, 4-3-2012)

REGIONAL STATION PROPOSAL



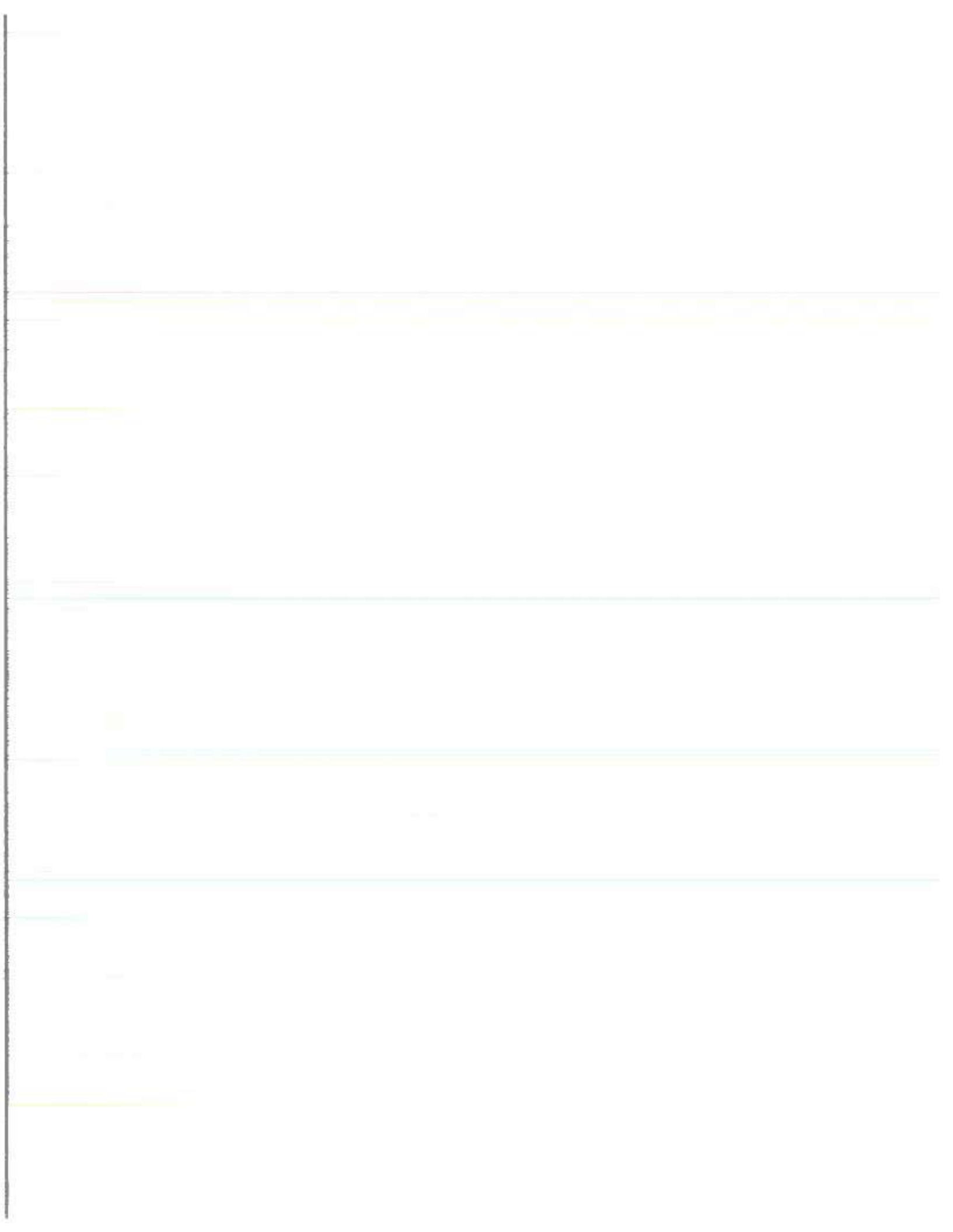
Regional Station Proposal

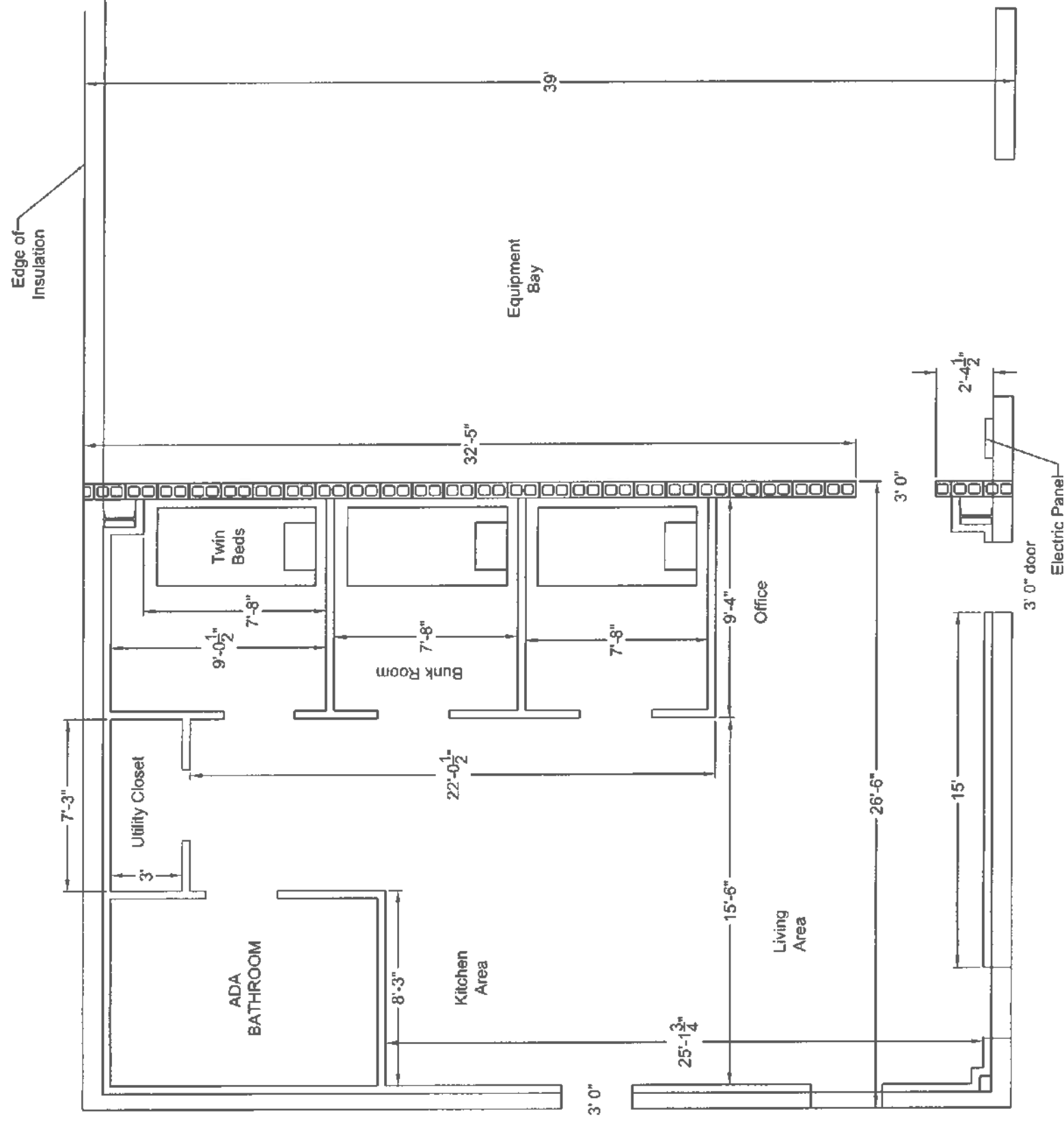
This short report will outline the regional station proposal and the areas we need to look at first and then possible future sites as the fire service and call volume continue to rise in Oconee County. The regional concept is one that will put multiple people on an engine company with a fire station atmosphere within a 3 or 4 volunteer station region of the county. The manned engine company will give us more manpower and quicker response with trained personnel who on arrival of a scene will be ready to deploy to whatever incident they are dispatched to in support of the volunteer stations. Oconee county emergency services currently has 22 personnel with less than 2 years' experience. Part of the new regional concept puts a part time field training officer in the stations 3 days a week to do rotating single and multi-company drills. Much of this training will also be opened up the volunteers to attend within that region on that given day. Having this scheduled training matrix through our training department will also help prepare our people and volunteers for the future.

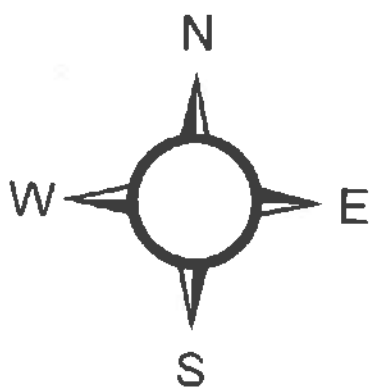
The regional concept is not new to Oconee. We currently staff South Union fire department around the clock and Rescue 4 in the evenings. Both of these actually respond very similar to the proposal. One of the locations that we feel is on the priority list is the mountain area which encompasses Long Creek and Mountain Rest. Currently the Whetstone station is owned by the County and could be made livable with a minimal investment. Both stations within this region have even offered to offset the building costs to make this happen. Another location to look at for future growth could include the Ebenezer area. This station would serve the Ebenezer, West Union and Picket Post areas along with Salem if needed. Other areas will have also been considered in the future based on County growth and even municipal contract renewals.

Again, the goal of the regional concept is to put highly qualified people closer to volunteer stations to give us quicker medical and fire response on major incidents. The regional concept will also give our personnel a home to call their own. Pride of ownership. We have lacked that ability for years and put people where convenience allowed at that time. Some of those locations have not been the best permanent solutions. Having a permanent assigned home should

hopefully give us less turnover, long term employees and a direction for future growth as the County continues to move forward.







PROPOSED FIRE REGIONS

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